Edith Martin Matlack
March 1926

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AN AMERICAN TRAGEDY

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BY

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VOLUME TWO

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CHAPTER XXXIX

OPPOSING views such as these, especially where no real skill to meet such a situation existed, could only spell greater difficulty and even eventual disaster unless chance in some form should aid. And chance did not aid. And the presence of Roberta in the factory was something that would not permit him to dismiss it from his mind. If only he could persuade her to leave and go somewhere else to live and work so that he should not always see her, he might then think more calmly. For with her asking continuously, by her presence if no more, what he intended to do, it was impossible for him to think. And the fact that he no longer cared for her as he had, tended to reduce his normal consideration of what was her due. He was too infatuated with, and hence disarranged by his thoughts of Sondra.

For in the very teeth of this grave dilemma he continued to pursue the enticing dream in connection with Sondra—the dark situation in connection with Roberta seeming no more at moments than a dark cloud which shadowed this other. And hence nightly, or as often as the exigencies of his still unbroken connection with Roberta would permit, he was availing himself of such opportunities as his flourishing connections now afforded. Now, and to his great pride and satisfaction, it was a dinner at the Harriets' or Taylors' to which he was invited; or a party at the Finchleys' or the Cranstons', to which he would either escort Sondra or be animated by the hope of encountering her. And now, also without so many of the former phases or attempts at subterfuge, which had previously characterized her curiosity in regard to him, she was at times openly seeking him out and making opportunities for social contact. And, of course, these contacts being identical with this typical kind of group gathering, they seemed to have no special significance with the more conservative elders.

For although Mrs. Finchley, who was of an especially shrewd and discerning turn socially, had at first been dubious over the attentions being showered upon Clyde by her daughter and others, still observing that Clyde was more and more being entertained, not only in her own home by the group of which her daughter was a part, but elsewhere, everywhere, was at last inclined to imagine that he must be more solidly placed in this world than she had heard, and later to ask her son and even Sondra concerning him. But receiving from Sondra only the equivocal information that, since he was Gil and Bella Griffiths' cousin, and was being taken up by everybody because he was so charming —even if he didn't have any money—she couldn't see why she and Stuart should not be allowed to entertain him also, her mother rested on that for the time being—only cautioning her daughter under no circumstances to become too friendly. And Sondra, realizing that in part her mother was right, yet being so drawn to Clyde was now determined to deceive her, at least to the extent of being as clandestinely free with Clyde as she could contrive. And was, so much so that every one who was privy to the intimate contacts between Clyde and Sondra might have reported that the actual understanding between them was assuming an intensity which most certainly would have shocked the elder Finchleys, could they have known. For apart from what Clyde had been, and still was dreaming in regard to her, Sondra was truly being taken with thoughts and moods in regard to him which were fast verging upon the most destroying aspects of the very profound chemistry of love. Indeed, in addition to handclasps, kisses and looks of intense admiration always bestowed when presumably no one was looking, there were those nebulous and yet strengthening and lengthening fantasies concerning a future which in some way or other, not clear to either as yet, was still always to include each other.

Summer days perhaps, and that soon, in which he and she would be in a canoe at Twelfth Lake, the long shadows of the trees on the bank lengthening over the silvery water, the wind rippling the surface while he paddled and she idled and tortured him with hints of the future; a certain forest path, grass-sodden and sun-mottled to the south and west of the Cranston and Phant estates, near theirs, through which they might canter in June and July to a wonderful view known as Inspiration Point some seven miles west; the country fair at Sharon, at which, in a gypsy costume, the essence of romance itself, she would superintend a booth, or, in her smartest riding habit, give an exhibition of her horsemanship—teas, dances in the afternoon

and in the moonlight at which, languishing in his arms, their eyes would speak.

None of the compulsion of the practical. None of the inhibitions which the dominance and possible future opposition of her parents might imply. Just love and summer, and idyllic and happy progress toward an eventual secure and unopposed union which should give him to her forever.

And in the meantime, in so far as Roberta was concerned, two more long, dreary, terrifying months going by without that meditated action on her part which must result once it was taken in Clyde's undoing. For, as convinced as she was that apart from meditating and thinking of some way to escape his responsibility, Clyde had no real intention of marrying her, still, like Clyde, she drifted, fearing to act really. For in several conferences following that in which she had indicated that she expected him to marry her, he had reiterated, if vaguely, a veiled threat that in case she appealed to his uncle he would not be compelled to marry her, after all, for he could go elsewhere.

The way he put it was that unless left undisturbed in his present situation he would be in no position to marry her and furthermore could not possibly do anything to aid her at the coming time when most of all she would stand in need of aid —a hint which caused Roberta to reflect on a hitherto not fully developed vein of hardness in Clyde, although had she but sufficiently reflected, it had shown itself at the time that he compelled her to admit him to her room.

In addition and because she was doing nothing and yet he feared that at any moment she might, he shifted in part at least from the attitude of complete indifference, which had availed him up to the time that she had threatened him, to one of at least simulated interest and good-will and friendship. For the very precarious condition in which he found himself was sufficiently terrifying to evoke more diplomacy than ever before had characterized him. Besides he was foolish enough to hope, if not exactly believe, that by once more conducting himself as though he still entertained a lively sense of the problem that afflicted her and that he was willing, in case no other way was found, to eventually marry her (though he could never definitely be persuaded to commit himself as to this), he could reduce her determination to compel him to act soon at least to a minimum, and so leave him more time in which to exhaust every possibility of escape without marriage, and without being compelled to run away.

And although Roberta sensed the basis of this sudden shift,

still she was so utterly alone and distrait that she was willing to give ear to Clyde's mock genial, if not exactly affectionate observations and suggestions. It caused her, at his behest, to wait a while longer, the while, as he now explained, he would not only have saved up some money, but devised some plan in connection with his work which would permit him to leave for a time anyhow, marry her somewhere and then establish her and the baby as a lawful married woman somewhere else, while, although he did not explain this just now, he returned to Lycurgus and sent her such aid as he could. But on condition, of course, that never anywhere, unless he gave her permission, must she assert that he had married her, or point to him in any way as the father of her child. Also it was understood that she, as she herself had asserted over and over that she would, if only he would do this—marry her—take steps to free herself on the ground of desertion, or something, in some place sufficiently removed from Lycurgus for no one to hear. And that within a reasonable time after her marriage to him, although he was not at all satisfied that, assuming that he did marry her, she would.

But Clyde, of course, was insincere in regard to all his overtures at this time, and really not concerned as to her sincerity or insincerity. Nor did he have any intention of leaving Lycurgus even for the moderate length of time that her present extrication would require unless he had to. For that meant that he would be separated from Sondra, and such absence, for whatever period, would most definitely interfere with his plans. And so, on the contrary, he drifted—thinking most idly at times of some possible fake or mock marriage such as he had seen in some melodramatic movie—a fake minister and witnesses combining to deceive some simple country girl such as Roberta was not, but at such expense of time, resources, courage and subtlety as Clyde himself, after a little reflection, was wise enough to see was beyond him.

Again, knowing that, unless some hitherto unforseen aid should eventuate, he was heading straight toward a disaster which could not much longer be obviated, he even allowed himself to dream that, once the fatal hour was at hand and Roberta, no longer to be put off by any form of subterfuge, was about to expose him, he might even flatly deny that he had ever held any such relationship with her as then she would be charging—rather that at all times his relationship with her had been that of a department manager to employee—no more. Terror—no less!

But at the same time, early in May, when Roberta, because of various gestative signs and ailments, was beginning to explain, as well as insist, to Clyde that by no stretch of the imag-

ination or courage could she be expected to retain her position at the factory or work later than June first, because by then the likelihood of the girls there beginning to notice something, would be too great for her to endure, Sondra was beginning to explain that not so much later than the fourth or fifth of June she and her mother and Stuart, together with some servants, would be going to their new lodge at Twelfth Lake in order to supervise certain installations then being made before the regular season should begin. And after that, not later than the eighteenth, at which time the Cranstons, Harriets, and some others would have arrived, including very likely visits from Bella and Myra, he might expect a week-end invitation from the Cranstons, with whom, through Bertine, she would arrange as to this. And after that, the general circumstances proving fairly propitious, there would be, of course, other week-end invitations to the Harriets', Phants' and some others who dwelt there, as well as to the Griffiths' at Greenwood, to which place, on account of Bella, he could easily come. And during his two weeks' vacation in July, he could either stop at the Casino, which was at Pine Point, or perhaps the Cranstons or Harriets, at her suggestion, might choose to invite him. At any rate, as Clyde could see, and with no more than such expenditures as, with a little scrimping during his ordinary working days here, he could provide for, he might see not a little of that lake life of which he had read so much in the local papers, to say nothing of Sondra at one and another of the lodges, the masters of which were not so inimical to his presence and overtures as were Sondra's parents.

For now it was, and for the first time, as she proceeded to explain to him that her mother and father, because of his continued and reported attentions to her, were already beginning to talk of an extended European tour which might keep her and Stuart and her mother abroad for at least the next two years. But since, at news of this, Clyde's face as well as his spirits darkened, and she herself was sufficiently enmeshed to suffer because of this, she at once added that he must not feel so bad—he must not; things would work out well enough, she knew. For at the proper time, and unless between then and now, something—her own subtle attack if not her at present feverish interest in Clyde—should have worked to alter her mother's viewpoint in regard to him—she might be compelled to take some steps of her own in order to frustrate her mother. Just what, she was not willing to say at this time, although to Clyde's overheated imagination it took the form of an elopement and marriage, which could not then be gainsaid by her parents whatever they might think. And

it was true that in a vague and as yet repressed way some such thought was beginning to form in Sondra's mind. For, as she now proceeded to explain to Clyde, it was so plain that her mother was attempting to steer her in the direction of a purely social match—the one with the youth who had been paying her such marked attention the year before. But because of her present passion for Clyde, as she now gayly declared, it was not easy to see how she was to be made to comply. "The only trouble with me is that I'm not of age yet," she here added briskly and slangily. "They've got me there, of course. But I will be by next October and they can't do very much with me after that, I want to let you know. I can marry the person I want, I guess. And if I can't do it here, well, there are more ways than one to kill a cat."

The thought was like some sweet, disarranging poison to Clyde. It fevered and all but betrayed him mentally. If only —if only—it were not for Roberta now. That terrifying and all but insoluble problem. But for that, and the opposition of Sondra's parents which she was thinking she would be able to overcome, did not heaven itself await him? Sondra, Twelfth Lake, society, wealth, her love and beauty. He grew not a little wild in thinking of it all. Once he and she were married, what could Sondra's relatives do? What, but acquiesce and take them into the glorious bosom of their resplendent home at Lycurgus or provide for them in some other way—he to no doubt eventually take some place in connection with the Finchley Electric Sweeper Company. And then would he not be the equal, if not the superior, of Gilbert Griffiths himself and all those others who originally had ignored him here—joint heir with Stuart to all the Finchley means. And with Sondra as the central or crowning jewel to so much sudden and such Aladdin-like splendor.

No thought as to how he was to overcome the time between now and October. No serious consideration of the fact that Roberta then and there was demanding that he marry her. He could put her off, he thought. And yet, at the same time, he was painfully and nervously conscious of the fact that at no period in his life before had he been so treacherously poised at the very brink of disaster. It might be his duty as the world would see it—his mother would say so—to at least extricate Roberta. But in the case of Esta, who had come to her rescue? Her lover? He had walked off from her without a qualm and she had not died. And why, when Roberta was no worse off than his sister had been, why should she seek to destroy him in this

way? Force him to do something which would be little less than social, artistic, passional or emotional assassination? And when later, if she would but spare him for this, he could do so much more for her—with Sondra's money of course. He could not and would not let her do this to him. His life would be ruined!

CHAPTER XL

TWO incidents which occurred at this time tended still more to sharpen the contrary points of view holding between Clyde and Roberta. One of these was no more than a glimpse which Roberta had one evening of Clyde pausing at the Central Avenue curb in front of the post-office to say a few words to Arabella Stark, who in a large and impressive-looking car, was waiting for her father who was still in the Stark Building opposite. And Miss Stark, fashionably outfitted according to the season, her world and her own pretentious taste, was affectedly posed at the wheel, not only for the benefit of Clyde but the public in general. And to Roberta, who by now was reduced to the verge of distraction between Clyde's delay and her determination to compel him to act in her behalf, she appeared to be little less than an epitome of all the security, luxury and freedom from responsibility which so enticed and hence caused Clyde to delay and be as indifferent as possible to the dire state which confronted her. For, alas, apart from this claim of her condition, what had she to offer him comparable to all he would be giving up in case he acceded to her request? Nothing—a thought which was far from encouraging.

Yet, at this moment contrasting her own wretched and neglected state with that of this Miss Stark, for example, she found herself a prey to an even more complaining and antagonistic mood than had hitherto characterized her. It was not right. It was not fair. For during the several weeks that had passed since last they had discussed this matter, Clyde had scarcely said a word to her at the factory or elsewhere, let alone called upon her at her room, fearing as he did the customary inquiry which he could not satisfy. And this caused her to feel that not only was he neglecting but resenting her most sharply.

And yet as she walked home from this trivial and fairly representative scene, her heart was not nearly so angry as it was sad and sore because of the love and comfort that had vanished and was not likely ever to come again . . . ever . . . ever . . . ever. Oh, how terrible, . . . how terrible!

On the other hand, Clyde, and at approximately this same time, was called upon to witness a scene identified with Roberta, which, as some might think, only an ironic and even malicious fate could have intended or permitted to come to pass. For motoring north the following Sunday to Arrow Lake to the lodge of the Trumbulls' to take advantage of an early spring week-end planned by Sondra, the party on nearing Biltz, which was in the direct line of the trip, was compelled to detour east in the direction of Roberta's home. And coming finally to a north and south road which ran directly from Trippettsville past the Alden farm, they turned north into that. And a few minutes later, came directly to the corner adjoining the Alden farm, where an east and west road led to Biltz. Here Tracy Trumbull, driving at the time, requested that some one should get out and inquire at the adjacent farm-house as to whether this road did lead to Biltz. And Clyde, being nearest to one door, jumped out. And then, glancing at the name on the mail-box which stood at the junction and evidently belonged to the extremely dilapidated old farm-house on the rise above, he was not a little astonished to note that the name was that of Titus Alden—Roberta's father. Also, as it instantly came to him, since she had described her parents as being near Biltz, this must be her home. It gave him pause, caused him for the moment to hesitate as to whether to go on or not, for once he had given Roberta a small picture of himself, and she might have shown it up here. Again the mere identification of this lorn, dilapidated realm with Roberta and hence himself, was sufficient to cause him to wish to turn and run.

But Sondra, who was sitting next him in the car and now noting his hesitation, called: "What's the matter, Clyde? Afraid of the bow-wow?" And he, realizing instantly that they would comment further on his actions if he did not proceed at once, started up the path. But the effect of this house, once he contemplated it thoroughly, was sufficient to arouse in his brain the most troubled and miserable of thoughts. For what a house, to be sure! So lonely and bare, even in this bright, spring weather! The decayed and sagging roof. The broken chimney to the north—rough lumps of cemented field stones lying at its base; the sagging and semi-toppling chimney to the south, sustained in place by a log chain. The unkempt path from the road below, which slowly he ascended! He was not a little dejected by the broken and displaced stones which served as steps before the front door. And the unpainted dilapidated out-buildings, all the more dreary because of these others.

"Gee!" To think that this was Roberta's home. And to think, in the face of all that he now aspired to in connection with Sondra and this social group at Lycurgus, she should be demanding that he marry her! And Sondra in the car with him here to see—if not know. The poverty! The reduced grimness of it all. How far he had traveled away from just such a beginning as this!

With a weakening and sickening sensation at the pit of his stomach, as of some blow administered there, he now approached the door. And then, as if to further distress him, if that were possible, the door was opened by Titus Alden, who, in an old, thread-bare and out-at-elbows coat, as well as baggy, worn, jean trousers and rough, shineless, ill-fitting country shoes, desired by his look to know what he wanted. And Clyde, being taken aback by the clothes, as well as a marked resemblance to Roberta about the eyes and mouth, now as swiftly as possible asked if the east and west road below ran through Biltz and joined the main highway north. And although he would have preferred a quick "yes" so that he might have turned and gone, Titus preferred to step down into the yard and then, with a gesture of the arm, indicate that if they wanted to strike a really good part of the road, they had better follow this Trippettsville north and south road for at least two more miles, and then turn west. Clyde thanked him briefly and turned almost before he had finished and hurried away.

For, as he now recalled, and with an enormous sense of depression, Roberta was thinking and at this very time, that soon now, and in the face of all Lycurgus had to offer him—Sondra—the coming spring and summer—the love and romance, gayety, position, power—he was going to give all that up and go away with and marry her. Sneak away to some out-of-the-way place! Oh, how horrible! And with a child at his age! Oh, why had he ever been so foolish and weak as to identify himself with her in this intimate way? Just because of a few lonely evenings! Oh, why, why couldn't he have waited and then this other world would have opened up to him just the same? If only he could have waited!

And now unquestionably, unless he could speedily and easily disengage himself from her, all this other splendid recognition would be destined to be withdrawn from him, and this other world from which he sprang might extend its gloomy, poverty-stricken arms to him and envelop him once more, just as the poverty of his family had enveloped and almost strangled him

from the first. And it even occurred to him, in a vague way for the first time, how strange it was that this girl and he, whose origin had been strikingly similar, should have been so drawn to each other in the beginning. Why should it have been? How strange life was, anyway? But even more harrowing than this, was the problem of a way out that was before him. And his mind from now on, on this trip, was once more searching for some solution. A word of complaint from Roberta or her parents to his uncle or Gilbert, and assuredly he would be done for.

The thought so troubled him that once in the car, and although previously he had been chattering along with the others about what might be in store ahead in the way of divertissement, he now sat silent. And Sondra, who sat next to him and who previously had been whispering at intervals of her plans for the summer, now, instead of resuming the patter, whispered: "What come over de sweet phing?" (When Clyde appeared to be the least reduced in mind she most affected this patter with him, since it had an almost electric, if sweetly tormenting effect on him. "His baby-talking girl," he sometimes called her.) "Facey all dark now. Little while ago facey all smiles. Come make facey all nice again. Smile at Sondra. Squeeze Sondra's arm like good boy, Clyde."

She turned and looked up into his eyes to see what if any effect this baby-worded cajolery was having, and Clyde did his best to brighten, of course. But even so, and in the face of all this amazingly wonderful love on her part for him, the specter of Roberta and all that she represented now in connection with all this, was ever before him—her state, her very recent edict in regard to it, the obvious impossibility of doing anything now but go away with her.

Why—rather than let himself in for a thing like that—would it not be better, and even though he lost Sondra once and for all, for him to decamp as in the instance of the slain child in Kansas City—and be heard of nevermore here. But then he would lose Sondra, his connections here, and his uncle—this world! The loss! The loss! The misery of once more drifting about here and there; of being compelled to write his mother once more concerning certain things about his flight, which some one writing from here might explain to her afterwards—and so much more damagingly. And the thoughts concerning him on the part of his relatives! And of late he had been writing his mother that he was doing so well. What was it about his life that made things like this happen to him? Was this what his life

was to be like? Running away from one situation and another just to start all over somewhere else—perhaps only to be compelled to flee from something worse. No, he could not run away again. He must face it and solve it in some way. He must!

God!

CHAPTER XLI

THE fifth of June arriving, the Finchleys departed as Sondra had indicated, but not without a most urgent request from her that he be prepared to come to the Cranstons' either the second or third week-end following—she to advise him definitely later—a departure which so affected Clyde that he could scarcely think what to do with himself in her absence, depressed as he was by the tangle which Roberta's condition presented. And exactly at this time also, Roberta's fears and demands had become so urgent that it was really no longer possible for him to assure her that if she would but wait a little while longer, he would be prepared to act in her behalf. Plead as he might, her case, as she saw it, was at last critical and no longer to be trifled with in any way. Her figure, as she insisted (although this was largely imaginative on her part), had altered to such an extent that it would not be possible for her longer to conceal it, and all those who worked with her at the factory were soon bound to know. She could no longer work or sleep with any comfort—she must not stay here any more. She was having preliminary pains—purely imaginary ones in her case. He must marry her now, as he had indicated he would, and leave with her at once—for some place—any place, really—near or far—so long as she was extricated from this present terrible danger. And she would agree, as she now all but pleaded, to let him go his way again as soon as their child was born—truly—and would not ask any more of him ever—ever. But now, this very week—not later than the fifteenth at the latest—he must arrange to see her through with this as he had promised.

But this meant that he would be leaving with her before ever he should have visited Sondra at Twelfth Lake at all, and without ever seeing her any more really. And, besides, as he so well knew, he had not saved the sum necessary to make possible the new venture on which she was insisting. In vain it was that Roberta now explained that she had saved over a hundred, and they could make use of that once they were married or to help in connection with whatever expenses might be incurred in getting to wherever he should decide they were going. All that he would

see or feel was that this meant the loss of everything to him, and that he would have to go away with her to some relatively near-by place and get work at anything he could, in order to support her as best he might. But the misery of such a change! The loss of all his splendid dreams. And yet, racking his brains, he could think of nothing better than that she should quit and go home for the time being, since as he now argued, and most shrewdly, as he thought, he needed a few more weeks to prepare for the change which was upon them both. For, in spite of all his efforts, as he now falsely asserted, he had not been able to save as much as he had hoped. He needed at least three or four more weeks in which to complete the sum, which he had been looking upon as advisable in the face of this meditated change. Was not she herself guessing, as he knew, that it could not be less than a hundred and fifty or two hundred dollars—quite large sums in her eyes—whereas, above his current salary, Clyde had no more than forty dollars and was dreaming of using that and whatever else he might secure in the interim to meet such expenses as might be incurred in the anticipated visit to Twelfth Lake.

But to further support his evasive suggestion that she now return to her home for a short period, he added that she would want to fix herself up a little, wouldn't she? She couldn't go away on a trip like this, which involved marriage and a change of social contacts in every way, without some improvements in her wardrobe. Why not take her hundred dollars or a part of it anyhow and use it for that? So desperate was his state that he even suggested that. And Roberta, who, in the face of her own uncertainty up to this time as to what was to become of her had not ventured to prepare or purchase anything relating either to a trousseau or layette, now began to think that whatever the ulterior purpose of his suggestion, which like all the others was connected with delay, it might not be unwise even now if she did take a fortnight or three weeks, and with the assistance of an inexpensive and yet tolerable dressmaker, who had aided her sister at times, make at least one or two suitable dresses—a flowered gray taffeta afternoon dress, such as she had once seen in a movie, in which, should Clyde keep his word, she could be married. To match this pleasing little costume, she planned to add a chic little gray silk hat—poke-shaped, with pink or scarlet cherries nestled up under the rim, together with a neat little blue serge traveling suit, which, with brown shoes and a brown hat, would make her as smart as any bride. The fact that such preparations as these meant additional delay and expense, or that Clyde might

not marry her after all, or that this proposed marriage from the point of view of both was the tarnished and discolored thing that it was, was still not sufficient to take from the thought of marriage as an event, or sacrament even, that proper color and romance with which it was invested in her eyes and from which, even under such an unsatisfactory set of circumstances as these, it could not be divorced. And, strangely enough, in spite of all the troubled and strained relations that had developed between them, she still saw Clyde in much the same light in which she had seen him at first. He was a Griffiths, a youth of genuine social, if not financial distinction, one whom all the girls in her position, as well as many of those far above her, would be delighted to be connected with in this way—that is, via marriage. He might be objecting to marrying her, but he was a person of consequence, just the same. And one with whom, if he would but trouble to care for her a little, she could be perfectly happy. And at any rate, once he had loved her. And it was said of men—some men, anyway (so she had heard her mother and others say) that once a child was presented to them, it made a great difference in their attitude toward the mother, sometimes. They came to like the mother, too. Anyhow for a little while—a very little while—if what she had agreed to were strictly observed, she would have him with her to assist her through this great crisis—to give his name to her child—to aid her until she could once more establish herself in some way.

For the time being, therefore, and with no more plan than this, although with great misgivings and nervous qualms, since, as she could see, Clyde was decidedly indifferent, she rested on this. And it was in this mood that five days later, and after Roberta had written to her parents that she was coming home for two weeks at least, to get a dress or two made and to rest a little, because she was not feeling very well, that Clyde saw her off for her home in Biltz, riding with her as far as Fonda. But in so far as he was concerned, and since he had really no definite or workable idea, it seemed important to him that only silence, *silence* was the great and all essential thing now, so that, even under the impending edge of the knife of disaster, he might be able to think more, and more, and more, without being compelled to do anything, and without momentarily being tortured by the thought that Roberta, in some nervous or moody or frantic state, would say or do something which, assuming that he should hit upon some helpful thought or plan in connection with Sondra, would prevent him from executing it.

And about the same time, Sondra was writing him gay notes from Twelfth Lake as to what he might expect upon his arrival a little later. Blue water—white sails—tennis—golf—horseback riding—driving. She had it all arranged with Bertine, as she said. And kisses—kisses—kisses!

CHAPTER XLII

TWO letters, which arrived at this time and simultaneously, but accentuated the difficulty of all this.

Pine Point Landing, June 10th.

CLYDE MYDIE:

How is my pheet phing? All wytie? It's just glorious up here. Lots of people already here and more coming every day. The Casino and golf course over at Pine Point are open and lots of people about. I can hear Stuart and Grant with their launches going up toward Gray's Inlet now. You must hurry and come up, dear. It's too nice for words. Green roads to gallop through, and swimming and dancing at the Casino every afternoon at four. Just back from a wonderful gallop on Dickey and going again after luncheon to mail these letters. Bertine says she'll write you a letter to-day or to-morrow good for any week-end or any old time, so when Sonda says come, you come, you hear, else Sonda whip hard. You baddie, good boy.

Is he working hard in the baddie old factory? Sonda wisses he was here wiss her instead. We'd ride and drive and swim and dance. Don't forget your tennis racquet and golf clubs. There's a dandy course on the Casino grounds.

This morning when I was riding a bird flew right up under Dickey's heels. It scared him so that he bolted and Sonda got all switched and scwatched. Isn't Clydie sorry for his Sonda?

She is writing lots of notes to-day. After lunch and the ride to catch the down mail, Sonda and Bertine and Nina going to the Casino. Don't you wish you were going to be there? We could dance to "Taudy." Sonda just loves that song. But she has to dress now. More to-morrow, baddie boy. And when Bertine writes, answer right away. See all 'ose dots? Kisses. Big and little ones. All for baddie boy. And wite Sonda every day and she'll write 'oo.

More kisses.

To which Clyde responded eagerly and in kind in the same hour. But almost the same mail, at least the same day, brought the following letter from Roberta.

Biltz, June 10th.

DEAR CLYDE:

I am nearly ready for bed, but I will write you a few lines. I had such a tiresome journey coming up that I was nearly sick. In the first place I didn't want to come much (alone) as you know. I feel too upset and uncertain about everything, although I try not to feel so now that we have our plan and you are going to come for me as you said.

(At this point, while nearly sickened by the thought of the wretched country world in which she lived, still, because of Roberta's unfortunate and unavoidable relation to it, he now experienced one of his old time twinges of remorse and pity in regard to her. For after all, this was not her fault. She had so little to look forward to—nothing but her work or a commonplace marriage. For the first time in many days, really, and in the absence of both, he was able to think clearly—and to sympathize deeply, if gloomily. For the remainder of the letter read:)

But it's very nice here now. The trees are so beautifully green and the flowers in bloom. I can hear the bees in the orchard whenever I go near the south windows. On the way up instead of coming straight home I decided to stop at Homer to see my sister and brother-in-law, since I am not so sure now when I shall see them again, if ever, for I am resolved that they shall see me respectable, or never at all any more. You mustn't think I mean anything hard or mean by this. I am just sad. They have such a cute little home there, Clyde—pretty furniture, a victrola and all, and Agnes is so very happy with Fred. I hope she always will be. I couldn't help thinking of what a dear place we might have had, if only my dreams had come true. And nearly all the time I was there Fred kept teasing me as to why I don't get married, until I said, "Oh, well, Fred, you mustn't be too sure that I won't one of these days. All good things come to him who waits, you know." "Yes, unless you just turn out to be a waiter," was the way he hit me back.

But I was truly glad to see mother again, Clyde. She's so loving and patient and helpful. The sweetest, dearest mother that ever, ever was. And I just hate to hurt her in any way. And Tom and Emily, too. They have had friends here every evening since I've been here —and they want me to join in, but I hardly feel well enough now to do all the things they want me to do—play cards and games—dance.

(At this point Clyde could not help emphasizing in his own mind the shabby home world of which she was a part and which so recently he had seen—that rickety house! those toppling chimneys! Her uncouth father. And that in contrast to such a letter as this other from Sondra.)

Father and mother and Tom and Emily just seem to hang around and try to do things for me. And I feel remorseful when I think how they would feel if they knew, for, of course, I have to pretend that it is work that makes me feel so tired and depressed as I am sometimes. Mother keeps saying that I must stay a long time or quit entirely and rest and get well again, but she just don't know of course—poor dear. If she did! I can't tell you how that makes me feel sometimes, Clyde. Oh, dear!

But there, I mustn't put my sad feelings over on you either. I don't want to, as I told you, if you will only come and get me as we've agreed. And I won't be like that either, Clyde. I'm not that way all the time now. I've started to get ready and do all the

things it'll take to do in three weeks and that's enough to keep my mind off everything but work. But you will come for me, won't you, dear? You won't disappoint me any more and make me suffer this time like you have so far, for, oh, how long it has been now—ever since I was here before at Christmas time, really. But you were truly nice to me. I promise not to be a burden on you, for I know you don't really care for me any more and so I don't care much what happens now, so long as I get out of this. But I truly promise not to be a burden on you.

Oh, dear, don't mind this blot. I just don't seem to be able to control myself these days like I once could.

But as for what I came for. The family think they are clothes for a party down in Lycurgus and that I must be having a wonderful time. Well, it's better that way than the other. I may have to come as far as Fonda to get some things, if I don't send Mrs. Anse, the dressmaker, and if so, and if you wanted to see me again before you come, although I don't suppose you do, you could. I'd like to see you and talk to you again if you care to, before we start. It all seems so funny to me, Clyde, having these clothes made and wishing to see you so much and yet knowing that you would rather not do this. And yet I hope you are satisfied now that you have succeeded in making me leave Lycurgus and come up here and are having what you call a good time. Are they so very much better than the ones we used to have last summer, when we went about to the lakes and everywhere? But whatever they are, Clyde, surely you can afford to do this for me without feeling too bad. I know it seems hard to you now, but you don't want to forget either that if I was like some that I know, I might and would ask more. But as I told you I'm not like that and never could be. If you don't really want me after you have helped me out like I said, you can go.

Please write me, Clyde, a long, cheery letter, even though you don't want to, and tell me all about how you have not thought of me once since I've been away or missed me at all—you used to, you know, and how you don't want me to come back and you can't possibly come up before two weeks from Saturday if then.

Oh, dear, I don't mean the horrid things I write, but I'm so blue and tired and lonely that I can't help it at times. I need some one to talk to—not just any one here, because they don't understand, and I can't tell anybody.

But there, I said I wouldn't be blue or gloomy or cross and yet I haven't done so very well this time, have I? But I promise to do better next time—to-morrow or next day, because it relieves me to write to you, Clyde. And won't you please write me just a few words to cheer me up while I'm waiting, whether you mean it or not, I need it so. And you will come, of course. I'll be so happy and grateful and try not to bother you too much in any way.

Your lonely

BERT.

And it was the contrast presented by these two scenes which finally determined for him the fact that he would never marry Roberta—never—nor even go to her at Biltz, or let her come back to him here, if he could avoid that. For would not his

going, or her return, put a period to all the joys that so recently in connection with Sondra had come to him here—make it impossible for him to be with Sondra at Twelfth Lake this summer —make it impossible for him to run away with and marry her? In God's name was there no way? No outlet from this horrible difficulty which now confronted him?

And in a fit of despair, having found the letters in his room on his return from work one warm evening in June, he now threw himself upon his bed and fairly groaned. The misery of this! The horror of his almost insoluble problem! Was there no way by which she could be persuaded to go away—and stay—remain at home, maybe for a while longer, while he sent her ten dollars a week, or twelve, even—a full half of all his salary? Or could she go to some neighboring town—Fonda, Gloversville, Schenectady—she was not so far gone but what she could take care of herself well enough as yet, and rent a room and remain there quietly until the fatal time, when she could go to some doctor or nurse? He might help her to find some one like that when the time came, if only she would be willing not to mention his name.

But this business of making him come to Biltz, or meeting her somewhere, and that within two weeks or less. He would not, he would not. He would do something desperate if she tried to make him do that—run away—or—maybe go up to Twelfth Lake before it should be time for him to go to Biltz, or before she would think it was time, and then persuade Sondra if he could—but oh, what a wild, wild chance was that—to run away with and marry him, even if she wasn't quite eighteen—and then—and then—being married, and her family not being able to divorce them, and Roberta not being able to find him, either, but only to complain—well, couldn't he deny it—say that it was not so—that he had never had any relationship, other than that which any department head might have with any girl working for him. He had not been introduced to the Gilpins, nor had he gone with Roberta to see that Dr. Glenn near Gloversville, and she had told him at the time, she had not mentioned his name.

But the nerve of trying to deny it!

The courage it would take.

The courage to try to face Roberta when, as he knew, her steady, accusing, horrified, innocent blue eyes would be about as difficult to face as anything in all the world. And could he do that? Had he the courage? And would it all work out satisfactorily if he did? Would Sondra believe him—once she heard?

But just the same in pursuance of this idea, whether finally he executed it or not, even though he went to Twelfth Lake, he must write Sondra a letter saying that he was coming. And this he did at once, writing her passionately and yearningly. At the same time he decided not to write Roberta at all. Maybe call her on long distance, since she had recently told him that there was a neighbor near-by who had a telephone, and if for any reason he needed to reach her, he could use that. For writing her in regard to all this, even in the most guarded way, would place in her hands, and at this time, exactly the type of evidence in regard to this relationship which she would most need, and especially when he was so determined not to marry her. The trickery of all this! It was low and shabby, no doubt. Yet if only Roberta had agreed to be a little reasonable with him, he would never have dreamed of indulging in any such low and tricky plan as this. But, oh, Sondra! Sondra! And the great estate that she had described, lying along the west shore of Twelfth Lake. How beautiful that must be! He could not help it! He must act and plan as he was doing! He must!

And forthwith he arose and went to mail the letter to Sondra. And then while out, having purchased an evening paper and hoping via the local news of all whom he knew, to divert his mind for the time being, there, upon the first page of the *Times-Union* of Albany, was an item which read:

ACCIDENTAL DOUBLE TRAGEDY AT PASS LAKE—UPTURNED CANOE AND FLOATING HATS REVEAL PROBABLE LOSS OF TWO LIVES AT RESORT NEAR PITTSFIELD—UNIDENTIFIED BODY OF GIRL RECOVERED—THAT OF COMPANION STILL MISSING

Because of his own great interest in canoeing, and indeed in any form of water life, as well as his own particular skill when it came to rowing, swimming, diving, he now read with interest:

Pancoast, Mass., June 7th. . . . What proved to be a fatal boat ride for two, apparently, was taken here day before yesterday by an unidentified man and girl who came presumably from Pittsfield to spend the day at Pass Lake, which is fourteen miles north of this place.

Tuesday morning a man and a girl, who said to Thomas Lucas, who conducts the Casino Lunch and Boat House there, that they were from Pittsfield, rented a small row-boat about ten o'clock in the morning and with a basket, presumably containing lunch, departed for the northern end of the lake. At seven o'clock last evening, when they did not return, Mr. Lucas, in company with his son Jeffrey, made a tour of the lake in his motor boat and discovered the row-boat upside down

in the shallows near the north shore, but no trace of the occupants. Thinking at the time that it might be another instance of renters having decamped in order to avoid payment, he returned the boat to his own dock.

But this morning, doubtful as to whether or not an accident had occurred, he and his assistant, Fred Walsh, together with his son, made a second tour of the north shore and finally came upon the hats of both the girl and the man floating among some rushes near the shore. At once a dredging party was organized, and by three o'clock to-day the body of the girl, concerning whom nothing is known here, other than that she came here with her companion, was brought up and turned over to the authorities. That of the man has not yet been found. The water in the immediate vicinity of the accident in some places being over thirty feet deep, it is not certain whether the trolling and dredging will yield the other body or not. In the case of a similar accident which took place here some fifteen years ago, neither body was ever recovered.

To the lining of the small jacket which the girl wore was sewed the tag of a Pittsfield dealer. Also in her shoe lining was stamped the name of Jacobs of this same city. But other than these there was no evidence as to her identity. It is assumed by the authorities here that if she carried a bag of any kind it lies at the bottom of the lake.

The man is recalled as being tall, dark, about thirty-five years of age, and wore a light green suit and straw hat with a white and blue band. The girl appears to be not more than twenty-five, five feet five inches tall, and weighs 130 pounds. She wore her hair, which was long and dark brown, in braids about her forehead. On her left middle finger is a small gold ring with an amethyst setting. The police of Pittsfield and other cities in this vicinity have been notified, but as yet no word as to her identity has been received.

This item, commonplace enough in the usual grist of summer accidents, interested Clyde only slightly. It seemed odd, of course, that a girl and a man should arrive at a small lake anywhere, and setting forth in a small boat in broad daylight thus lose their lives. Also it was odd that afterwards no one should be able to identify either of them. And yet here it was. The man had disappeared for good. He threw the paper down, little concerned at first, and turned to other things—the problem that was confronting him really—how he was to do. But later—and because of that, and as he was putting out the light before getting into bed, and still thinking of the complicated problem which his own life here presented, he was struck by the thought (what devil's whisper?—what evil hint of an evil spirit?)—supposing that he and Roberta—no, say he and Sondra—(no, Sondra could swim so well, and so could he)—he and Roberta were in a small boat somewhere and it should capsize at the very time, say, of this dreadful complication which was so harassing him? What an escape? What a relief from a gigantic and by now really destroying problem! On the other hand—hold—not so fast!—

for could a man even think of such a solution in connection with so difficult a problem as his without committing a crime in his heart, really—a horrible, terrible crime? He must not even think of such a thing. It was wrong—wrong—terribly wrong. And yet, supposing,—by accident, of course—such a thing as this did occur? That would be the end, then, wouldn't it, of all his troubles in connection with Roberta? No more terror as to her—no more fear and heartache even as to Sondra. A noiseless, pathless, quarrelless solution of all his present difficulties, and only joy before him forever. Just an accidental, unpremeditated drowning—and then the glorious future which would be his!

But the mere thinking of such a thing in connection with Roberta at this time—(why was it that his mind persisted in identifying her with it?) was terrible, and he must not, he must not, allow such a thought to enter his mind. Never, never, never! He must not. It was horrible! Terrible! A thought of murder, no less! Murder?!!! Yet so wrought up had he been, and still was, by the letter which Roberta had written him, as contrasted with the one from Sondra—so delightful and enticing was the picture of her life and his as she now described it, that he could not for the life of him quite expel that other and seemingly easy and so natural a solution of all his problem—if only such an accident could occur to him and Roberta. For after all he was not planning any crime, was he? Was he not merely thinking of an accident that, had it occurred or could it but occur in his case. . . . Ah—but that *"could it but occur."* There was the dark and evil thought about which he must not, *he must not think.* He MUST NOT. And yet—and yet, . . . He was an excellent swimmer and could swim ashore, no doubt—whatever the distance. Whereas Roberta, as he knew from swimming with her at one beach and another the previous summer, could not swim. And then—and then—well and then, unless he chose to help her, of course. . . .

As he thought, and for the time, sitting in the lamplight of his own room between nine-thirty and ten at night, a strange and disturbing creepiness as to flesh and hair and finger-tips assailed him. The wonder and the horror of such a thought! And presented to him by this paper in this way. Wasn't that strange? Besides, up in that lake country to which he was now going to Sondra, were many, many lakes about everywhere—were there not? Scores up there where Sondra was. Or so she had said. And Roberta loved the out-of-doors and the water so—although she could not swim—could not swim—could not swim. And they or at least he was going where lakes were, or

they might, might they not—and if not, why not? since both had talked of some Fourth of July resort in their planning, their final departure—he and Roberta.

But, no! no! The mere thought of an accident such as that in connection with her, however much he might wish to be rid of her—was sinful, dark and terrible! He must not let his mind run on any such things for even a moment. It was too wrong—too vile—too terrible! Oh, dreadful thought! To think it should have come to him! And at this time of all times —when she was demanding that he go away with her!

Death!

Murder!

The murder of Roberta!

But to escape her of course—this unreasonable, unshakable, unchangeable demand of hers! Already he was quite cold, quite damp—with the mere thought of it. And now—when—when——! But he must not think of that! The death of that unborn child, too!!

But how could any one even think of doing any such thing with calculation—deliberately? And yet—many people were drowned like that—boys and girls—men and women—here and there—everywhere the world over in the summer time. To be sure, he would not want anything like that to happen to Roberta. And especially at this time. He was not that kind of a person, whatever else he was. He was not. He was not. He was not. The mere thought now caused a damp perspiration to form on his hands and face. He was not that kind of a person. Decent, sane people did not think of such things. And so he would not either —from this hour on.

In a tremulous state of dissatisfaction with himself—that any such grisly thought should have dared to obtrude itself upon him in this way—he got up and lit the lamp—re-read this disconcerting item in as cold and reprobative way as he could achieve, feeling that in so doing he was putting anything at which it hinted far from him once and for all. Then, having done so, he dressed and went out of the house for a walk—up Wykeagy Avenue, along Central Avenue, out Oak, and then back on Spruce and to Central again—feeling that he was walking away from the insinuating thought or suggestion that had so troubled him up to now. And after a time, feeling better, freer, more natural, more human, as he so much wished to feel—he returned to his room, once more to sleep, with the feeling that he had actually succeeded in eliminating completely a most insidious and horrible visitation. He must never think of it again! He must never

think of it again. He must never, never, never think of it—never.

And then falling into a nervous, feverish doze soon thereafter, he found himself dreaming of a savage black dog that was trying to bite him. Having escaped from the fangs of the creature by waking in terror, he once more fell asleep. But now he was in some very strange and gloomy place, a wood or a cave or narrow canyon between deep hills, from which a path, fairly promising at first, seemed to lead. But soon the path, as he progressed along it, became narrower and narrower and darker, and finally disappeared entirely. And then, turning to see if he could not get back as he had come, there directly behind him were arrayed an entangled mass of snakes that at first looked more like a pile of brush. But above it waved the menacing heads of at least a score of reptiles, forked tongues and agate eyes. And in front now, as he turned swiftly, a horned and savage animal—huge, it was—its heavy tread crushing the brush—blocked the path in that direction. And then, horrified and crying out in hopeless desperation, once more he awoke—not to sleep again that night.

CHAPTER XLIII

YET a thought such as that of the lake, connected as it was with the predicament by which he was being faced, and shrink from it though he might, was not to be dismissed as easily as he desired. Born as it was of its accidental relation to this personal problem that was shaking and troubling and all but disarranging his own none-too-forceful mind, this smooth, seemingly blameless, if dreadful, blotting out of two lives at Pass Lake, had its weight. That girl's body—as some peculiar force in his own brain now still compelled him to think—being found, but the man's not. In that interesting fact—and this quite in spite of himself—lurked a suggestion that insisted upon obtruding itself on his mind—to wit, that it might be possible that the man's body was not in that lake at all. For, since evil-minded people did occasionally desire to get rid of other people, might it not be possible that that man had gone there with that girl in order to get rid of her? A very smooth and devilish trick, of course, but one which, in this instance at least, seemed to have succeeded admirably.

But as for him accepting such an evil suggestion and acting upon it . . . never! Yet here was his own problem growing hourly more desperate, since every day, or at least every other day, brought him either letters from Roberta or a note from Sondra—their respective missives maintaining the same relative contrast between ease and misery, gayety of mood and the somberness of defeat and uncertainty.

To Roberta, since he would not write her, he was telephoning briefly and in as non-committal a manner as possible. How was she? He was so glad to hear from her and to know that she was out in the country and at home, where it must be much nicer than in the factory here in this weather. Everything was going smoothly, of course, and except for a sudden rush of orders which made it rather hard these last two days, all was as before. He was doing his best to save a certain amount of money for a certain project about which she knew, but otherwise he was not worrying about anything—and she must not. He had not written before because of the work, and could not write much—there

were so many things to do—but he missed seeing her in her old place, and was looking forward to seeing her again soon. If she were coming down toward Lycurgus as she said, and really thought it important to see him, well, that could be arranged, maybe—but was it necessary right now? He was so very busy and expected to see her later, of course.

But at the same time he was writing Sondra that assuredly on the eighteenth, and the week-end following, if possible, he would be with her.

So, by virtue of such mental prestidigitation and tergiversation, inspired and animated as it was by his desire for Sondra, his inability to face the facts in connection with Roberta, he achieved the much-coveted privilege of again seeing her, over one week-end at least, and in such a setting as never before in his life had he been privileged to witness.

For as he came down to the public dock at Sharon, adjoining the veranda of the inn at the foot of Twelfth Lake, he was met by Bertine and her brother as well as Sondra, who, in Grant's launch, had motored down the Chain to pick him up. The bright blue waters of the Indian Chain. The tall, dark, spear pines that sentineled the shores on either side and gave to the waters at the west a band of black shadow where the trees were mirrored so clearly. The small and large, white and pink and green and brown lodges on every hand, with their boathouses. Pavilions by the shore. An occasional slender pier reaching out from some spacious and at times stately summer lodge, such as those now owned by the Cranstons, Finchleys and others. The green and blue canoes and launches. The gay hotel and pavilion at Pine Point already smartly attended by the early arrivals here! And then the pier and boathouse of the Cranston Lodge itself, with two Russian wolfhounds recently acquired by Bertine lying on the grass near the shore, apparently awaiting her return, and a servant John, one of a half dozen who attended the family here, waiting to take the single bag of Clyde, his tennis racquet and golf sticks. But most of all he was impressed by the large rambling and yet smartly-designed house, with its bright geranium-bordered walks, its wide, brown, wicker-studded veranda commanding a beautiful view of the lake; the cars and personalities of the various guests, who in golf, tennis or lounging clothes were to be seen idling here and there.

At Bertine's request, John at once showed him to a spacious room overlooking the lake, where it was his privilege now to bathe and change for tennis with Sondra, Bertine and Grant. After dinner, as explained by Sondra, who was over at Ber-

tine's for the occasion, he was to come over with Bertine and Grant to the Casino, where he would be introduced to such as all here knew. There was to be dancing. To-morrow, in the morning early, before breakfast, if he chose—he should ride with her and Bertine and Stuart along a wonderful woodland trail through the forests to the west which led to Inspiration Point and a more distant view of the lake. And, as he now learned, except for a few such paths as this, the forest was trackless for forty miles. Without a compass or guide, as he was told, one might wander to one's death even—so evasive were directions to those who did not know. And after breakfast and a swim she and Bertine and Nina Temple would demonstrate their new skill with Sondra's aquaplane. After that, lunch, tennis, or golf, a trip to the Casino for tea. After dinner at the lodge of the Brookshaws of Utica across the lake, there was to be dancing.

Within an hour after his arrival, as Clyde could see, the program for the week-end was already full. But that he and Sondra would contrive not only moments but possibly hours together he well knew. And then he would see what new delight, in connection with her many-faceted temperament, the wonderful occasion would provide. To him, in spite of the dour burden of Roberta, which for this one week-end at least he could lay aside, it was as though he were in Paradise.

And on the tennis grounds of the Cranstons, it seemed as though never before had Sondra, attired in a short, severe white tennis skirt and blouse, with a yellow-and-green dotted handkerchief tied about her hair, seemed so gay, graceful and happy. The smile that was upon her lips! The gay, laughing light of promise that was in her eyes whenever she glanced at him! And now and then, in running to serve him, it was as though she were poised bird-like in flight—her racquet arm high, a single toe seeming barely to touch the ground, her head thrown back, her lips parted and smiling always. And in calling twenty love, thirty love, forty love, it was always with a laughing accent on the word love, which at once thrilled and saddened him, as he saw, and rejoiced in from one point of view, she was his to take, if only he were free to take her now. But this other black barrier which he himself had built!

And then this scene, where a bright sun poured a flood of crystal light upon a greensward that stretched from tall pines to the silver rippling waters of a lake. And off shore in a half dozen different directions the bright white sails of small boats—the white and green and yellow splashes of color, where canoes pad-

dled by idling lovers were passing in the sun! Summertime—leisure—warmth—color—ease—beauty—love—all that he had dreamed of the summer before, when he was so very much alone.

At moments it seemed to Clyde that he would reel from very joy of the certain fulfillment of a great desire, that was all but immediately within his control; at other times (the thought of Roberta sweeping down upon him as an icy wind), as though nothing could be more sad, terrible, numbing to the dreams of beauty, love and happiness than this which now threatened him. That terrible item about the lake and those two people drowned! The probability that in spite of his wild plan within a week, or two or three at most, he would have to leave all this forever. And then of a sudden he would wake to realize that he was fumbling or playing badly—that Bertine or Sondra or Grant was calling: "Oh, Clyde, what are you thinking of, anyhow?" And from the darkest depths of his heart he would have answered, had he spoken, "Roberta."

At the Brookshaws', again, that evening, a smart company of friends of Sondra's, Bertine's and others. On the dance floor a reëncounter with Sondra, all smiles, for she was pretending for the benefit of others here—her mother and father in particular—that she had not seen Clyde before—did not even know that he was here.

"You up here? That's great. Over at the Cranstons'? Oh, isn't that dandy? Right next door to us. Well, we'll see a lot of each other, what? How about a canter to-morrow before seven? Bertine and I go nearly every day. And we'll have a picnic to-morrow, if nothing interferes, canoeing and motoring. Don't worry about not riding well. I'll get Bertine to let you have Jerry—he's just a sheep. And you don't need to worry about togs, either. Grant has scads of things. I'll dance the next two dances with others, but you sit out the third one with me, will you? I know a peach of a place outside on the balcony."

She was off with fingers extended but with a "we-understand-each-other" look in her eye. And outside in the shadow later she pulled his face to hers when no one was looking and kissed him eagerly, and, before the evening was over, they had managed, by strolling along a path which led away from the house along the lake shore, to embrace under the moon.

"Sondra so glad Clydie here. Misses him so much." She smoothed his hair as he kissed her, and Clyde, bethinking him of the shadow which lay so darkly between them, crushed her feverishly, desperately. "Oh, my darling baby girl," he ex-

claimed. "My beautiful, beautiful Sondra! If you only knew how much I love you! If you only knew! I wish I could tell you *all*. I wish I could."

But he could not now—or ever. He would never dare to speak to her of even so much as a phase of the black barrier that now lay between them. For, with her training, the standards of love and marriage that had been set for her, she would never understand, never be willing to make so great a sacrifice for love, as much as she loved him. And he would be left, abandoned on the instant, and with what horror in her eyes!

Yet looking into his eyes, his face white and tense, and the glow of the moon above making small white electric sparks in his eyes, she exclaimed as he gripped her tightly: "Does he love Sondra so much? Oh, sweetie boy! Sondra loves him, too." She seized his head between her hands and held it tight, kissing him swiftly and ardently a dozen times. "And Sondra won't give her Clydie up either. She won't. You just wait and see! It doesn't matter what happens now. It may not be so very easy, but she won't." Then as suddenly and practically, as so often was her way, she exclaimed: "But we must go now, right away. No, not another kiss now. No, no, Sondra says no, now. They'll be missing us." And straightening up and pulling him by the arm she hurried him back to the house in time to meet Palmer Thurston, who was looking for her.

The next morning, true to her promise, there was the canter to Inspiration Point, and that before seven—Bertine and Sondra in bright red riding coats and white breeches and black boots, their hair unbound and loose to the wind, and riding briskly on before for the most part, then racing back to where he was. Or Sondra halloing gaily for him to come on, or the two of them laughing and chatting a hundred yards ahead in some concealed chapel of the aisled trees where he could not see them. And because of the interest which Sondra was so obviously manifesting in him these days—an interest which Bertine herself had begun to feel might end in marriage, if no family complications arose to interfere—she, Bertine, was all smiles, the very soul of cordiality, winsomely insisting that he should come up and stay for the summer and she would chaperon them both so that no one would have a chance to complain. And Clyde thrilling, and yet brooding too—by turns—occasionally—and in spite of himself drifting back to the thought that the item in the paper had inspired—and yet fighting it—trying to shut it out entirely.

And then at one point, Sondra, turning down a steep path which led to a stony and moss-lipped spring between the dark

trees, called to Clyde to "Come on down. Jerry knows the way. He won't slip. Come and get a drink. If you do, you'll come back again soon—so they say."

And once he was down and had dismounted to drink, she exclaimed: "I've been wanting to tell you something. You should have seen Mamma's face last night when she heard you were up here. She can't be sure that I had anything to do with it, of course, because she thinks that Bertine likes you, too. I made her think that. But just the same she suspects that I had a hand in it, I guess, and she doesn't quite like it. But she can't say anything more than she has before. And I had a talk with Bertine just now and she's agreed to stick by me and help me all she can. But we'll have to be even more careful than ever now, because I think if Mamma got too suspicious I don't know what she might do—want us to leave here, even now maybe, just so I couldn't see you. You know she feels that I shouldn't be interested in any one yet except some one she likes. You know how it is. She's that way with Stuart, too. But if you'll take care not to show that you care for me so much whenever we're around any one of our crowd, I don't think she'll do anything—not now, anyhow. Later on, in the fall, when we're back in Lycurgus, things will be different. I'll be of age then, and I'm going to see what I can do. I never loved any one before, but I do love you, and, well, I won't give you up, that's all. I won't. And they can't make me, either!"

She stamped her foot and struck her boot, the while the two horses looked idly and vacantly about. And Clyde, enthused and astonished by this second definite declaration in his behalf, as well as fired by the thought that now, if ever, he might suggest the elopement and marriage and so rid himself of the sword that hung so threateningly above him, now gazed at Sondra, his eyes filled with a nervous hope and a nervous fear. For she might refuse, and change, too, shocked by the suddenness of his suggestion. And he had no money and no place in mind where they might go either, in case she accepted his proposal. But she had, perhaps, or she might have. And having once consented, might she not help him? Of course. At any rate, he felt that he must speak, leaving luck or ill luck to the future.

And so he said: "Why couldn't you run away with me now, Sondra, darling? It's so long until fall and I want you so much. Why couldn't we? Your mother's not likely to want to let you marry me then, anyhow. But if we went away now, she couldn't help herself, could she? And afterwards, in a few months or so, you could write her and then she wouldn't mind.

Why couldn't we, Sondra?" His voice was very pleading, his eyes full of a sad dread of refusal—and of the future that lay unprotected behind that.

And by now so caught was she by the tremor with which his mood invested him, that she paused—not really shocked by the suggestion at all—but decidedly moved, as well as flattered by the thought that she was able to evoke in Clyde so eager and headlong a passion. He was so impetuous—so blazing now with a flame of her own creating, as she felt, yet which she was incapable of feeling as much as he, as she knew—such a flame as she had never seen in him or any one else before. And would it not be wonderful if she could run away with him now—secretly—to Canada or New York or Boston, or anywhere? The excitement her elopement would create here and elsewhere—in Lycurgus, Albany, Utica! The talk and feeling in her own family as well as elsewhere! And Gilbert would be related to her in spite of him—and the Griffiths, too, whom her mother and father so much admired.

For a moment there was written in her eyes the desire and the determination almost, to do as he suggested—run away—make a great lark of this, her intense and true love. For, once married, what could her parents do? And was not Clyde worthy of her and them, too? Of course—even though nearly all in her set fancied that he was not quite all he should be, just because he didn't have as much money as they had. But he would have—would he not—after he was married to her—and get as good a place in her father's business as Gil Griffiths had in his father's?

Yet a moment later, thinking of her life here and what her going off in such a way would mean to her father and mother just then—in the very beginning of the summer season—as well as how it would disrupt her own plans and cause her mother to feel especially angry, and perhaps even to bring about the dissolution of the marriage on the ground that she was not of age, she paused—that gay light of adventure replaced by a marked trace of the practical and the material that so persistently characterized her. What difference would a few months make, anyhow? It might, and no doubt would, save Clyde from being separated from her forever, whereas their present course might insure their separation.

Accordingly she now shook her head in a certain, positive and yet affectionate way, which by now Clyde had come to know spelled defeat—the most painful and irremediable defeat that had yet come to him in connection with all this. She would

not go! Then he was lost—lost—and she to him forever maybe. Oh, God! For while her face softened with a tenderness which was not usually there—even when she was most moved emotionally—she said: "I would, honey, if I did not think it best not to, now. It's too soon. Mamma isn't going to do anything right now. I know she isn't. Besides she has made all her plans to do a lot of entertaining here this summer, and for my particular benefit. She wants me to be nice to—well, you know who I mean. And I can be, without doing anything to interfere with us in any way, I'm sure—so long as I don't do anything to really frighten her." She paused to smile a reassuring smile. "But you can come up here as often as you choose, don't you see, and she and these others won't think anything of it, because you won't be our guest, don't you see? I've fixed all that with Bertine. And that means that we can see each other all summer long up here, just about as much as we want to, don't you see? Then in the fall, when I come back, and if I find that I can't make her be nice to you at all, or consider our being engaged, why, I will run away with you. Yes, I will, darling—really and truly."

Darling! The fall!

She stopped, her eyes showing a very shrewd conception of all the practical difficulties before them, while she took both of his hands in hers and looked up into his face. Then, impulsively and conclusively, she threw both arms about his neck and, pulling his head down, kissed him.

"Can't you see, dearie? Please don't look so sad, darling. Sondra loves her Clyde so much. And she'll do anything and everything to make things come out right. Yes, she will. And they will, too. Now you wait and see. She won't give him up ever—ever!"

And Clyde, realizing that he had not one moving argument wherewith to confront her, really—not one that might not cause her to think strangely and suspiciously of his intense anxiety, and that this, because of Roberta's demand, and unless—unless—well—, unless Roberta let him go it all spelled defeat for him, now looked gloomily and even desperately upon her face. The beauty of her! The completeness of this world! And yet not to be allowed to possess her or it, ever. And Roberta with her demand and his promise in the immediate background! And no way of escape save by flight! God!

At this point it was that a nervous and almost deranged look—never so definite or powerful at any time before in his life—the border-line look between reason and unreason, no less—so

powerful that the quality of it was even noticeable to Sondra—came into his eyes. He looked sick, broken, unbelievably despairing. So much so that she exclaimed, "Why, what is it, Clyde, dearie—you look so—oh, I can't say just how—forlorn or—Does he love me so much? And can't he wait just three or four months? But, oh, yes he can, too. It isn't as bad as he thinks. He'll be with me most of the time—the lovekins will. And when he isn't, Sondra'll write him every day—every day."

"But, Sondra! Sondra! If I could just tell you. If you knew how much it were going to mean to me——"

He paused here, for as he could see at this point, into the expression of Sondra came a practical inquiry as to what it was that made it so urgent for her to leave with him at once. And immediately, on his part, Clyde sensing how enormous was the hold of this world on her—how integral a part of it she was—and how, by merely too much insistence here and now, he might so easily cause her to doubt the wisdom of her primary craze for him, was moved to desist, sure that if he spoke it would lead her to questioning him in such a way as might cause her to change—or at least to modify her enthusiasm to the point where even the dream of the fall might vanish.

And so, instead of explaining further why he needed a decision on her part, he merely desisted, saying: "It's because I need you so much now, dear—all of the time. That's it, just that. It seems at times as though I could never be away from you another minute any more. Oh, I'm so hungry for you all of the time."

And yet Sondra, flattered as she was by this hunger, and reciprocating it in part at least, merely repeated the various things she had said before. They must wait. All would come out all right in the fall. And Clyde, quite numb because of his defeat, yet unable to forego or deny the delight of being with her now, did his best to recover his mood—and think, think, think that in some way—somehow—maybe via that plan of that boat or in some other way!

But what other way?

But no, no, no—not that. He was not a murderer and never could be. He was not a murderer—never—never—never.

And yet this loss.

This impending disaster.

This impending disaster.

How to avoid that and win to Sondra after all.

How, how, how?

CHAPTER XLIV

AND then on his return to Lycurgus early Monday morning, the following letter from Roberta,

DEAR CLYDE:

My dear, I have often heard the saying, "it never rains but it pours," but I never knew what it meant until to-day. About the first person I saw this morning was Mr. Wilcox, a neighbor of ours, who came to say that Mrs. Anse would not be out to-day on account of some work she had to do for Mrs. Dinwiddie in Biltz, although when she left yesterday everything had been prepared for her so that I could help her a little with the sewing and so hurry things up a bit. And now she won't be here until to-morrow. Next word came that Mother's sister, Mrs. Nichols, is very ill and Mother had to go over to her house at Baker's Pond, which is about twelve miles east of here, Tom driving her, although he ought to be here to help father with all the work that there is to do about the farm. And I don't know if Mother will be able to get back before Sunday. If I were better and didn't have all this work of my own on my hands I would have to go too, I suppose, although Mother insists not.

Next, Emily and Tom, thinking all is going so well with me and that I might enjoy it, were having four girls and four boys come here to-night for a sort of June moon-party, with ice cream and cake to be made by Emily and Mother and myself. But now, poor dear, she has to do a lot of telephoning over Mr. Wilcox's phone, which we share, in order to put it off until some day next week, if possible. And she's just heartsick and gloomy, of course.

As for myself, I'm trying to keep a stiff upper lip, as the saying is. But it's pretty hard, dear, I'll tell you. For so far I have only had three small telephone talks with you, saying that you didn't think you would have the necessary money before July fifth. And to put the finishing touches on it, as I only learned to-day, Mamma and Papa have about decided to go to my Uncle Charlie's in Hamilton for over the fourth (from the fourth to the fifteenth) and take me with them, unless I decide to return to Lycurgus, while Tom and Emily visit with my sister at Homer. But, dear, I can't do that, as you know. I'm too sick and worried. Last night I vomited dreadful and have been half dead on my feet all day, and I am just about crazy to-night.

Dear, what can we do? Can't you come for me before July third, which will be the time they will be going? You will have to come for me before then, really, because I just can't go up there with them. It's fifty miles from here. I could say I would go up there with them if only you would be sure to come for me before they start. But I must be absolutely sure that you are coming—absolutely.

Clyde, I have done nothing but cry since I got here. If you were only here I wouldn't feel so badly. I do try to be brave, dear, but

how can I help thinking at times that you will never come for me when you haven't written me one single note and have only talked to me three times since I've been up here. But then I say to myself you couldn't be so mean as that, and especially since you have promised. Oh, you will come, won't you? Everything worries me so now, Clyde, for some reason and I'm so frightened, dear. I think of last summer and then this one, and all my dreams. It won't make any real difference to you about your coming a few days sooner than you intended, will it, dear? Even if we have to get along on a little less. I know that we can. I can be very saving and economical. I will try to have my dresses made by then. If not, I will do with what I have and finish them later. And I will try and be very brave, dear, and not annoy you much, if only you will come. You must, you know, Clyde. It can't be any other way, although for your sake now I wish it could.

Please, please, Clyde, write and tell me that you will be here at the end of the time that you said. I worry so and get so lonesome off here all by myself. I will come straight back to see you if you don't come by the time you said. I know you will not like me to say this, but, Clyde, I can't stay here and that's all there is to it. And I can't go away with Mamma and Papa either, so there is only one way out. I don't believe I will sleep a wink to-night, so please write me and in your letter tell me over and over not to worry about your not coming for me. If you could only come to-day, dear, or this week-end, I wouldn't feel so blue. But nearly two weeks more! Every one is in bed and the house is still, so I will stop.

But please write me, dear, right away, or if you won't do that call me up sure to-morrow, because I just can't rest one single minute until I do hear from you.

Your miserable ROBERTA.

P. S.: This is a horrid letter, but I just can't write a better one. I'm so blue.

But the day this letter arrived in Lycurgus Clyde was not there to answer it at once. And because of that, Roberta being in the darkest and most hysterical mood and thought, sat down on Saturday afternoon and, half-convinced as she was that he might already have departed for some distant point without any word to her, almost shrieked or screamed, if one were to properly characterize the mood that animated the following:

Biltz, Saturday, June 14th.

MY DEAR CLYDE:

I am writing to tell you that I am coming back to Lycurgus. I simply can't stay here any longer. Mamma worries and wonders why I cry so much, and I am just about sick. I know I promised to stay until the 25th or 26th, but then you said you would write me, but you never have—only an occasional telephone message when I am almost crazy. I woke up this morning and couldn't help crying right away and this afternoon my headache is dreadful.

I'm so afraid you won't come and I'm so frightened, dear. Please

come and take me away some place, anywhere, so I can get out of here and not worry like I do. I'm so afraid in the state that I'm in that Papa and Mamma may make me tell the whole affair or that they will find it out for themselves.

Oh, Clyde, you will never know. You have said you would come, and sometimes I just know you will. But at other times I get to thinking about other things and I'm just as certain you won't, especially when you don't write or telephone. I wish you would write and say that you will come just so I can stand to stay here. Just as soon as you get this, I wish you would write me and tell me the exact day you can come—not later than the first, really, because I know I cannot stand to stay here any longer than then. Clyde, there isn't a girl in the whole world as miserable as I am, and you have made me so. But I don't mean that, either, dear. You were good to me once, and you are now, offering to come for me. And if you will come right away I will be so grateful. And when you read this, if you think I am unreasonable, please do not mind it, Clyde, but just think I am crazy with grief and worry and that I just don't know what to do. Please write me, Clyde. If you only knew how I need a word.

ROBERTA.

This letter, coupled as it was with a threat to come to Lycurgus, was sufficient to induce in Clyde a state not unlike Roberta's. To think that he had no additional, let alone plausible, excuse to offer Roberta whereby she could be induced to delay her final and imperative demand. He racked his brains. He must not write her any long and self-incriminating letters. That would be foolish in the face of his determination not to marry her. Besides his mood at the moment, so fresh from the arms and kisses of Sondra, was not for anything like that. He could not, even if he would.

At the same time, something must be done at once, as he could see, in order to allay her apparently desperate mood. And ten minutes after he had finished reading the last of these two letters, he was attempting to reach Roberta over the telephone. And finally getting her after a troublesome and impatient half-hour, he heard her voice, thin and rather querulous as it seemed to him at first, but really only because of a poor connection, saying: "Hello, Clyde, hello. Oh, I'm so glad you called. I've been terribly nervous. Did you get my two letters? I was just about to leave here in the morning if I didn't hear from you by then. I just couldn't stand not to hear anything. Where have you been, dear? Did you read what I said about my parents going away? That's true. Why don't you write, Clyde, or call me up anyhow? What about what I said in my letter about the third? Will you be sure and come then? Or shall I meet you somewhere? I've been so nervous the last three or four days, but now that I hear you again, maybe I'll be able to quiet down

some. But I do wish you would write me a note every few days anyhow. Why won't you, Clyde? You haven't even written me one since I've been here. I can't tell you what a state I'm in and how hard it is to keep calm now."

Plainly Roberta was very nervous and fearsome as she talked. As a matter of fact, except that the home in which she was telephoning was deserted at the moment she was talking very indiscreetly, it seemed to Clyde. And it aided but little in his judgment for her to explain that she was all alone and that no one could hear her. He did not want her to use his name or refer to letters written to him.

Without talking too plainly, he now tried to make it clear that he was very busy and that it was hard for him to write as much as she might think necessary. Had he not said that he was coming on the 28th or thereabouts if he could? Well, he would if he could, only it looked now as though it might be necessary for him to postpone it for another week or so, until the seventh or eighth of July—long enough for him to get together an extra fifty for which he had a plan, and which would be necessary for him to have. But really, which was the thought behind this other, long enough for him to pay one more visit to Sondra as he was yearning to do, over the next week-end. But this demand of hers, now! Couldn't she go with her parents for a week or so and then let him come for her there or she come to him? It would give him more needed time, and——

But at this Roberta, bursting forth in a storm of nervous disapproval—saying that most certainly if that were the case she was going back to her room at the Gilpins', if she could get it, and not waste her time up there getting ready and waiting for him when he was not coming—he suddenly decided that he might as well say that he was coming on the third, or that if he did not, that at least by then he would have arranged with her where to meet him. For even by now, he had not made up his mind as to how he was to do. He must have a little more time to think—more time to think.

And so now he altered his tone greatly and said: "But listen, Bert. Please don't be angry with me. You talk as though I didn't have any troubles in connection with all this, either. You don't know what this may be going to cost me before I'm through with it, and you don't seem to care much. I know you're worried and all that, but what about me? I'm doing the very best I can now, Bert, with all I have to think about. And won't you just be patient now until the third, anyhow? Please do. I promise to write you and if I don't, I'll call you up every other

day. Will that be all right? But I certainly don't want you to be using my name like you did a while ago. That will lead to trouble, sure. Please don't. And when I call again, I'll just say it's Mr. Baker asking, see, and you can say it's any one you like afterwards. And then, if by any chance anything should come up that would stop our starting exactly on the third, why you can come back here if you want to, see, or somewhere near here, and then we can start as soon as possible after that."

His tone was so pleading and soothing, infused as it was—but because of his present necessity only with a trace of that old tenderness and seeming helplessness which, at times, had quite captivated Roberta, that even now it served to win her to a bizarre and groundless gratitude. So much so that at once she had replied, warmly and emotionally, even: "Oh, no, dear. I don't want to do anything like that. You know I don't. It's just because things are so bad as they are with me and I can't help myself now. You know that, Clyde, don't you? I can't help loving you. I always will, I suppose. And I don't want to do anything to hurt you, dear, really I don't if I can help it."

And Clyde, hearing the ring of genuine affection, and sensing anew his old-time power over her, was disposed to reënact the rôle of lover again, if only in order to dissuade Roberta from being too harsh and driving with him now. For while he could not like her now, he told himself, and could not think of marrying her, still in view of this other dream he could at least be gracious to her—could he not?—Pretend! And so this conversation ended with a new peace based on this agreement.

The preceding day—a day of somewhat reduced activities on the lakes from which he had just returned—he and Sondra and Stuart and Bertine, together with Nina Temple and a youth named Harley Baggott, then visiting the Thurstons, had motored first from Twelfth Lake to Three Mile Bay, a small lakeside resort some twenty-five miles north, and from thence, between towering walls of pines, to Big Bittern and some other smaller lakes lost in the recesses of the tall pines of the region to the north of Trine Lake. And en route, Clyde, as he now recalled, had been most strangely impressed at moments and in spots by the desolate and for the most part lonely character of the region. The narrow and rain-washed and even rutted nature of the dirt roads that wound between tall, silent and darksome trees—forests in the largest sense of the word—that extended for miles and miles apparently on either hand. The decadent and weird

nature of some of the bogs and tarns on either side of the only comparatively passable dirt roads which here and there were festooned with funereal or viperous vines, and strewn like deserted battlefields with soggy and decayed piles of fallen and criss-crossed logs—in places as many as four deep—one above the other—in the green slime that an undrained depression in the earth had accumulated. The eyes and backs of occasional frogs that, upon lichen or vine or moss-covered stumps and rotting logs in this warm June weather, there sunned themselves apparently undisturbed; the spirals of gnats, the solitary flick of a snake's tail as disturbed by the sudden approach of the machine, one made off into the muck and the poisonous grasses and water-plants which were thickly imbedded in it.

And in seeing one of these Clyde, for some reason, had thought of the accident at Pass Lake. He did not realize it, but at the moment his own subconscious need was contemplating the loneliness and the usefulness at times of such a lone spot as this. And at one point it was that a wier-wier, one of the solitary water-birds of this region, uttered its ouphe and barghest cry, flying from somewhere near into some darker recess within the woods. And at this sound it was that Clyde had stirred nervously and then sat up in the car. It was so very different to any bird-cry he had ever heard anywhere.

"What was that?" he asked of Harley Baggott, who sat next him.

"What?"

"Why, that bird or something that just flew away back there just now?"

"I didn't hear any bird."

"Gee! That was a queer sound. It makes me feel creepy."

As interesting and impressive as anything else to him in this almost tenantless region had been the fact that there were so many lonesome lakes, not one of which he had ever heard of before. The territory through which they were speeding as fast as the dirt roads would permit, was dotted with them in these deep forests of pine. And only occasionally in passing near one, were there any signs indicating a camp or lodge, and those to be reached only by some half-blazed trail or rutty or sandy road disappearing through darker trees. In the main, the shores of the more remote lakes passed, were all but untenanted, or so sparsely that a cabin or a distant lodge to be seen across the smooth waters of some pine-encircled gem was an object of interest to all.

Why must he think of that other lake in Massachusetts!

That boat! The body of that girl found—but not that of the man who accompanied her! How terrible, really!

He recalled afterwards,—here in his room, after this last conversation with Roberta—that the car, after a few more miles, had finally swung into an open space at the north end of a long narrow lake—the south prospect of which appeared to be divided by a point or an island suggesting a greater length and further windings or curves than were visible from where the car had stopped. And except for the small lodge and boathouse at this upper end it had appeared so very lonesome—not a launch or canoe on it at the time their party arrived. And as in the case of all the other lakes seen this day, the banks to the very shore line were sentineled with those same green pines—tall, spear-shaped—their arms widespread like one outside his window here in Lycurgus. And beyond them in the distance, to the south and west, rose the humped and still smooth and green backs of the nearer Adirondacks. And the water before them, now ruffled by a light wind and glowing in the afternoon sun, was of an intense Prussian blue, almost black, which suggested, as was afterwards confirmed by a guide who was lounging upon the low veranda of the small inn—that it was very deep—"all of seventy feet not more than a hundred feet out from that boathouse."

And at this point Harley Baggott, who was interested to learn more about the fishing possibilities of this lake in behalf of his father, who contemplated coming to this region in a few days, had inquired of the guide who appeared not to look at the others in the car: "How long is this lake, anyhow?"

"Oh, about seven miles." "Any fish in it?" "Throw a line in and see. The best place for black bass and the like of that almost anywhere around here. Off the island down yonder, or just to the south of it round on the other side there, there's a little bay that's said to be one of the best fishin' holes in any of the lakes up this way. I've seen a coupla men bring back as many as seventy-five fish in two hours. That oughta satisfy anybody that ain't tryin' to ruin the place for the rest of us."

The guide, a thinnish, tall and wizened type, with a long, narrow head and small, keen, bright blue eyes laughed a yokelish laugh as he studied the group. "Not thinkin' of tryin' your luck to-day?"

"No, just inquiring for my dad. He's coming up here next week, maybe. I want to see about accommodations."

"Well, they ain't what they are down to Racquette, of course, but then the fish down there ain't what they are up here, either." He visited all with a sly and wry and knowing smile.

Clyde had never seen the type before. He was interested by all the anomalies and contrarities of this lonesome world as contrasted with cities he had known almost exclusively, as well as the decidedly exotic and material life and equipment with which, at the Cranstons' and elsewhere, he was then surrounded. The strange and comparatively deserted nature of this region as contrasted with the brisk and vigorous life of Lycurgus, less than a hundred miles to the south.

"The country up here kills me," commented Stuart Finchley at this point. "It's so near the Chain and yet it's so different, scarcely any one living up here at all, it seems."

"Well, except for the camps in summer and the fellows that come up to hunt moose and deer in the fall, there ain't much of anybody or anything around here after September first," commented the guide. "I've been guidin' and trappin' for nigh onto seventeen years now around here and 'cept for more and more people around some of the lakes below here—the Chain principally in summer—I ain't see much change. You need to know this country purty well if yer goin't strike out anywhere away from the main roads, though o' course about five miles to the west o' here is the railroad. Gun Lodge is the station. We bring 'em by bus from there in the summer. And from the south end down there is a sorta road leadin' down to Greys Lake and Three Mile Bay. You musta come along a part of it, since it's the only road up into this country as yet. They're talkin' of cuttin' one through to Long Lake sometime, but so far it's mostly talk. But from most of these other lakes around here, there's no road at all, not that an automobile could make. Just trails and there's not even a decent camp on some o' 'em. You have to bring your own outfit. Bud Ellis and me was over to Gun Lake last summer—that's thirty miles west o' here and we had to walk every inch of the way and carry our packs. But, oh, say, the fishin' and moose and deer come right down to the shore in places to drink. See 'em as plain as that stump across the lake."

And Clyde remembered that, along with the others, he had carried away the impression that for solitude and charm—or at least mystery—this region could scarcely be matched. And to think it was all so comparatively near Lycurgus—not more than a hundred miles by road; not more than seventy by rail, as he eventually came to know.

But now once more in Lycurgus and back in his room after just explaining to Roberta, as he had, he once more encountered on his writing desk, the identical paper containing the item con-

cerning the tragedy at Pass Lake. And in spite of himself, his eye once more followed nervously and yet unwaveringly to the last word all the suggestive and provocative details. The uncomplicated and apparently easy way in which the lost couple had first arrived at the boathouse; the commonplace and entirely unsuspicious way in which they had hired a boat and set forth for a row; the manner in which they had disappeared to the north end; and then the upturned boat, the floating oars and hats near the shore. He stood reading in the still strong evening light. Outside the windows were the dark boughs of the fir tree of which he had thought the preceding day and which now suggested all those firs and pines about the shores of Big Bittern.

But, good God! What was he thinking of anyhow? He, Clyde Griffiths! The nephew of Samuel Griffiths! What was "getting into" him? Murder! That's what it was. This terrible item—this devil's accident or machination that was constantly putting it before him! A most horrible crime, and one for which they electrocuted people if they were caught. Besides, he could not murder anybody—not Roberta, anyhow. Oh, no! Surely not after all that had been between them. And yet—this other world!—Sondra—which he was certain to lose now unless he acted in some way——

His hands shook, his eyelids twitched—then his hair at the roots tingled and over his body ran chill nervous titillations in waves. Murder! Or upsetting a boat at any rate in deep water, which of course might happen anywhere, and by accident, as at Pass Lake. And Roberta could not swim. He knew that. But she might save herself at that—scream—cling to the boat—and then—if there were any to hear—and she told afterwards! An icy perspiration now sprang to his forehead; his lips trembled and suddenly his throat felt parched and dry. To prevent a thing like that he would have to—to—but no—he was not like that. He could not do a thing like that—hit any one—a girl—Roberta—and when drowning or struggling. Oh, no, no—no such thing as that! Impossible.

He took his straw hat and went out, almost before any one heard him *think,* as he would have phrased it to himself, such horrible, terrible thoughts. He could not and would not think them from now on. He was no such person. And yet—and yet—these thoughts. The solution—if he wanted one. The way to stay here—not leave—marry Sondra—be rid of Roberta and all—all—for the price of a little courage or daring. But no!

He walked and walked—away from Lycurgus—out on a road

to the southeast which passed through a poor and decidedly unfrequented rural section, and so left him alone to think—or, as he felt, not to be heard in his thinking.

Day was fading into dark. Lamps were beginning to glow in the cottages here and there. Trees in groups in fields or along the road were beginning to blur or smokily blend. And although it was warm—the air lifeless and lethargic—he walked fast, thinking, and perspiring as he did so, as though he were seeking to outwalk and outthink or divert some inner self that preferred to be still and think.

That gloomy, lonely lake up there!

That island to the south!

Who would see?

Who could hear?

That station at Gun Lodge with a bus running to it at this season of the year. (Ah, he remembered that, did he? The deuce!) A terrible thing, to remember a thing like that in connection with such a thought as this! But if he were going to think of such a thing as this at all, he had better think well—he could tell himself that—or stop thinking about it now—once and forever—forever. But Sondra! Roberta! If ever he were caught—electrocuted! And yet the actual misery of his present state. The difficulty! The danger of losing Sondra. And yet, murder—

He wiped his hot and wet face, and paused and gazed at a group of trees across a field which somehow reminded him of the trees of . . . well . . . he didn't like this road. It was getting too dark out here. He had better turn and go back. But that road at the south and leading to Three Mile Bay and Greys Lake—if one chose to go that way—to Sharon and the Cranston Lodge—whither he would be going afterwards if he did go that way. God! Big Bittern—the trees along there after dark would be like that—blurred and gloomy. It would have to be toward evening, of course. No one would think of trying to . . . well . . . in the morning, when there was so much light. Only a fool would do that. But at night, toward dusk, as it was now, or a little later. But, damn it, he would not listen to such thoughts. Yet no one would be likely to see him or Roberta either—would they—there? It would be so easy to go to a place like Big Bittern—for an alleged wedding trip—would it not—over the Fourth, say—or after the fourth or fifth, when there would be fewer people. And to register as some one else—not himself—so that he could never be traced that way. And then, again, it would be so easy to get back to Sharon and the Cran-

stons' by midnight, or the morning of the next day, maybe, and then, once there he could pretend also that he had come north on that early morning train that arrived about ten o'clock. And then . . .

Confound it—why should his mind keep dwelling on this idea? Was he actually planning to do a thing like this? But he was not! He could not be! He, Clyde Griffiths, could not be serious about a thing like this. That was not possible. He could not be. Of course! It was all too impossible, too wicked, to imagine that he, Clyde Griffiths, could bring himself to execute a deed like that. And yet . . .

And forthwith an uncanny feeling of wretchedness and insufficiency for so dark a crime insisted on thrusting itself forward. He decided to retrace his steps toward Lycurgus, where at least he could be among people.

CHAPTER XLV

THERE are moments when in connection with the sensitively imaginative or morbidly anachronistic—the mentality assailed and the same not of any great strength and the problem confronting it of sufficient force and complexity—the reason not actually toppling from its throne, still totters or is warped or shaken—the mind befuddled to the extent that for the time being, at least, unreason or disorder and mistaken or erroneous counsel would appear to hold against all else. In such instances the will and the courage confronted by some great difficulty which it can neither master nor endure, appears in some to recede in precipitate flight, leaving only panic and temporary unreason in its wake.

And in this instance, the mind of Clyde might well have been compared to a small and routed army in full flight before a major one, yet at various times in its precipitate departure, pausing for a moment to meditate on some way of escaping complete destruction and in the coincident panic of such a state, resorting to the weirdest and most haphazard of schemes of escaping from an impending and yet wholly unescapable fate. The strained and bedeviled look in his eyes at moments—the manner in which, from moment to moment and hour to hour, he went over and over his hitherto poorly balanced actions and thoughts but with no smallest door of escape anywhere. And yet again at moments the solution suggested by the item in *The Times-Union* again thrusting itself forward, psychogenetically, born of his own turbulent, eager and disappointed seeking. And hence persisting.

Indeed, it was now as though from the depths of some lower or higher world never before guessed or plumbed by him . . . a region otherwhere than in life or death and peopled by creatures otherwise than himself . . . there had now suddenly appeared, as the genii at the accidental rubbing of Aladdin's lamp—as the efrit emerging as smoke from the mystic jar in the net of the fisherman—the very substance of some leering and diabolic wish or wisdom concealed in his own nature, and that now abhorrent and yet compelling, leering and yet intriguing, friendly and yet cruel, offered him a choice between an evil which threatened

to destroy him (and against his deepest opposition) and a second evil which, however it might disgust or sear or terrify, still provided for freedom and success and love.

Indeed the center or mentating section of his brain at this time might well have been compared to a sealed and silent hall in which alone and undisturbed, and that in spite of himself, he now sat thinking on the mystic or evil and terrifying desires or advice of some darker or primordial and unregenerate nature of his own, and without the power to drive the same forth or himself to decamp, and yet also without the courage to act upon anything.

For now the genii of his darkest and weakest side was speaking. And it said: "And would you escape from the demands of Roberta that but now and unto this hour have appeared unescapable to you? Behold! I bring you a way. It is the way of the lake—Pass Lake. This item that you have read—do you think it was placed in your hands for nothing? Remember Big Bittern, the deep, blue-black water, the island to the south, the lone road to Three Mile Bay? How suitable to your needs! A rowboat or a canoe upset in such a lake and Roberta would pass forever from your life. She cannot swim! The lake—the lake—that you have seen—that I have shown you—is it not ideal for the purpose? So removed and so little frequented and yet comparatively near—but a hundred miles from here. And how easy for you and Roberta to go there—not directly but indirectly—on this purely imaginative marriage-trip that you have already agreed to. And all that you need do now is to change your name—and hers—or let her keep her own and you use yours. You have never permitted her to speak of you and this relationship, and she never has. You have written her but formal notes. And now if you should meet her somewhere as you have already agreed to, and without any one seeing you, you might travel with her, as in the past to Fonda, to Big Bittern—or some point near there."

"But there is no hotel at Big Bittern," at once corrected Clyde. "A mere shack that entertains but few people and that not very well."

"All the better. The less people are likely to be there."

"But we might be seen on the train going up together. I would be identified as having been with her."

"Were you seen at Fonda, Gloversville, Little Falls? Have you not ridden in separate cars or seats before and could you not do so now? Is it not presumably to be a secret marriage? Then why not a secret honeymoon?"

"True enough—true enough."

"And once you have arranged for that and arrive at Big Bittern or some lake like it—there are so many there—how easy to row out on such a lake? No questions. No registry under your own name or hers. A boat rented for an hour or half-day or day. You saw the island far to the south on that lone lake. Is it not beautiful? It is well worth seeing. Why should you not go there on such a pleasure trip before marriage? Would she not be happy so to do—as weary and distressed as she is now—an outing—a rest before the ordeal of the new life? Is not that sensible—plausible? And neither of you will ever return presumably. You will both be drowned, will you not? Who is to see? A guide or two—the man who rents you the boat—the innkeeper once, as you go. But how are they to know who you are? Or who she is? And you heard the depth of the water."

"But I do not want to kill her. I do not want to kill her. I do not want to injure her in any way. If she will but let me go and she go her own way, I will be so glad and so happy never to see her more."

"But she will not let you go or go her way unless you accompany her. And if you go yours, it will be without Sondra and all that she represents, as well as all this pleasant life here—your standing with your uncle, his friends, their cars, the dances, visits to the lodges on the lakes. And what then? A small job! Small pay! Another such period of wandering as followed that accident at Kansas City. Never another chance like this anywhere. Do you prefer that?"

"But might there not be some accident here, destroying all my dreams—my future—as there was in Kansas City?"

"An accident, to be sure—but not the same. In this instance the plan is in your hands. You can arrange it all as you will. And how easy! So many boats upsetting every summer—the occupants of them drowning, because in most cases they cannot swim. And will it ever be known whether the man who was with Roberta Alden on Big Bittern could swim? And of all deaths, drowning is the easiest—no noise—no outcry—perhaps the accidental blow of an oar—the side of a boat. And then silence! Freedom—a body that no one may ever find. Or if found and identified, will it not be easy, if you but trouble to plan, to make it appear that you were elsewhere, visiting at one of the other lakes before you decided to go to Twelfth Lake. What is wrong with it? Where is the flaw?"

"But assuming that I should upset the boat and that she

should not drown, then what? Should cling to it, cry out, be saved and relate afterward that . . . But no, I cannot do that—will not do it. I will not hit her. That would be too terrible . . . too vile."

"But a little blow—any little blow under such circumstances would be sufficient to confuse and complete her undoing. Sad, yes, but she has an opportunity to go her own way, has she not? And she will not, nor let you go yours. Well, then, is this so terribly unfair? And do not forget that afterwards there is Sondra—the beautiful—a home with her in Lycurgus—wealth, a high position such as elsewhere you may never obtain again—never—never. Love and happiness—the equal of any one here—superior even to your cousin Gilbert."

The voice ceased temporarily, trailing off into shadow,—silence, dreams.

And Clyde, contemplating all that had been said, was still unconvinced. Darker fears or better impulses supplanted the counsel of the voice in the great hall. But presently thinking of Sondra and all that she represented, and then of Roberta, the dark personality would as suddenly and swiftly return and with amplified suavity and subtlety.

"Ah, still thinking on the matter. And you have not found a way out and you will not. I have truly pointed out to you and in all helpfulness the only way—the only way—It is a long lake. And would it not be easy in rowing about to eventually find some secluded spot—some invisible nook near that south shore where the water is deep? And from there how easy to walk through the woods to Three Mile Bay and Upper Greys Lake? And from there to the Cranstons'? There is a boat from there, as you know. Pah—how cowardly—how lacking in courage to win the thing that above all things you desire—beauty—wealth—position—the solution of your every material and spiritual desire. And with poverty, commonplace, hard and poor work as the alternative to all this."

"But you must choose—choose! And then act. You must! You must! You must!"

Thus the voice in parting, echoing from some remote part of the enormous chamber.

And Clyde, listening at first with horror and in terror, later with a detached and philosophic calm as one who, entirely apart from what he may think or do, is still entitled to consider even the wildest and most desperate proposals for his release, at last, because of his own mental and material weakness before pleasures and dreams which he could not bring himself to forego, psychi-

cally intrigued to the point where he was beginning to think that it might be possible. Why not? Was it not even as the voice said—a possible and plausible way—all his desires and dreams to be made real by this one evil thing? Yet in his case, because of flaws and weaknesses in his own unstable and highly variable will, the problem was not to be solved by thinking thus —then—nor for the next ten days for that matter.

He could not really act on such a matter for himself and would not. It remained as usual for him to be forced either to act or to abandon this most *wild* and terrible thought. Yet during this time a series of letters—seven from Roberta, five from Sondra—in which in somber tones in so far as Roberta was concerned—in gay and colorful ones in those which came from Sondra—was painted the now so sharply contrasting phases of the black rebus which lay before him. To Roberta's pleadings, argumentative and threatening as they were, Clyde did not trust himself to reply, not even by telephone. For now he reasoned that to answer would be only to lure Roberta to her doom—or to the attempted drastic conclusion of his difficulties as outlined by the tragedy at Pass Lake.

At the same time, in several notes addressed to Sondra, he gave vent to the most impassioned declarations of love—his darling—his wonder girl—how eager he was to be at Twelfth Lake by the morning of the Fourth, if he could, and so thrilled to see her there again. Yet, alas, as he also wrote now, so uncertain was he, even now, as to how he was to do, there were certain details in connection with his work here that might delay him a day or two or three—he could not tell as yet—but would write her by the second at the latest, when he would know positively. Yet saying to himself as he wrote this, if she but knew what those details were—if she but knew. Yet in penning this, and without having as yet answered the last importunate letter from Roberta, he was also saying to himself that this did not mean that he was planning to go to Roberta at all, or that if he did, it did not mean that he was going to attempt to kill her. Never once did he honestly, or to put it more accurately, forthrightly and courageously or coldly face the thought of committing so grim a crime. On the contrary, the nearer he approached a final resolution or the need for one in connection with all this, the more hideous and terrible seemed the idea—hideous and difficult, and hence the more improbable it seemed that he should ever commit it. It was true that from moment to moment—arguing with himself as he constantly was—sweating mental sweats and fleeing from moral and social terrors

in connection with it all, he was thinking from time to time that he might go to Big Bittern in order to quiet her in connection with these present importunities and threats and hence (once more evasion—tergiversation with himself) give himself more time in which to conclude what his true course must be.

The way of the Lake.

The way of the Lake.

But once there—whether it would then be advisable so to do—or not—well who could tell. He might even yet be able to convert Roberta to some other point of view. For, say what you would, she was certainly acting very unfairly and captiously in all this. She was, as he saw it in connection with his very vital dream of Sondra, making a mountain—an immense terror—out of a state that when all was said and done, was not so different from Esta's. And Esta had not compelled any one to marry her. And how much better were the Aldens to his own parents—poor farmers as compared to poor preachers. And why should he be so concerned as to what they would think when Esta had not troubled to think what her parents would feel?

In spite of all that Roberta had said about blame, was she so entirely lacking in blame herself? To be sure, he had sought to entice or seduce her, as you will, but even so, could she be held entirely blameless? Could she not have refused, if she was so positive at the time that she was so very moral? But she had not. And as to all this, all that he had done, had he not done all he could to help her out of it? And he had so little money, too. And was placed in such a difficult position. She was just as much to blame as he was. And yet now she was so determined to drive him this way. To insist on his marrying her, whereas if she would only go her own way—as she could with his help—she might still save both of them all this trouble.

But no, she would not, and he would not marry her and that was all there was to it. She need not think that she could make him. No, no, no! At times, when in such moods, he felt that he could do anything—drown her easily enough, and she would only have herself to blame.

Then again his more cowering sense of what society would think and do, if it knew, what he himself would be compelled to think of himself afterwards, fairly well satisfied him that as much as he desired to stay, he was not the one to do anything at all and in consequence must flee.

And so it was that Tuesday, Wednesday and Thursday following Roberta's letter received on Monday, had passed. And then, on Thursday night, following a most torturesome mental

day on his and Roberta's part for that matter, this is what he received:

Biltz, Wednesday, June 30th.

DEAR CLYDE:

This is to tell you that unless I hear from you either by telephone or letter before noon, Friday, I shall be in Lycurgus that same night, and the world will know how you have treated me. I cannot and will not wait and suffer one more hour. I regret to be compelled to take this step, but you have allowed all this time to go in silence really, and Saturday is the third, and without any plans of any kind. My whole life is ruined and so will yours be in a measure, but I cannot feel that I am entirely to blame. I have done all I possibly could to make this burden as easy for you as possible and I certainly regret all the misery it will cause my parents and friends and all whom you know and hold dear. But I will not wait and suffer one hour more.

ROBERTA.

And with this in his hands, he was finally all but numbed by the fact that now decidedly he must act. She was actually coming! Unless he could soothe or restrain her in some manner she would be here to-morrow—the second. And yet the second, or the third, or any time until after the Fourth, was no time to leave with her. The holiday crowds would be too great. There would be too many people to see—to encounter. There must be more secrecy. He must have at least a little more time in which to get ready. He must think now quickly and then act. Great God! Get ready. Could he not telephone her and say that he had been sick or so worried on account of the necessary money or something that he could not write—and that besides his uncle had sent for him to come to Greenwood Lake over the Fourth. His uncle! His uncle! No, that would not do. He had used his name too much. What difference should it make to him or her now, whether he saw his uncle once more or not? He was leaving once and for all, or so he had been telling her, on her account, was he not? And so he had better say that he was going to his uncle, in order to give a reason why he was going away so that, possibly, he might be able to return in a year or so. She might believe that. At any rate he must tell her something that would quiet her until after the Fourth—make her stay up there until at least he could perfect some plan—bring himself to the place where he could do one thing or the other. One thing or the other.

Without pausing to plan anything more than just this at this time, he hurried to the nearest telephone where he was least likely to be overheard. And, getting her once more, began one of those long and evasive and, in this instance, ingratiating

explanations which eventually, after he had insisted that he had actually been sick—confined to his room with a fever and hence not able to get to a telephone—and because, as he now said, he had finally decided that it would be best if he were to make some explanation to his uncle, so that he might return some time in the future, if necessary—he, by using the most pleading, if not actually affectionate, tones and asking her to consider what a state he had been in, too, was able not only to make her believe that there was some excuse for his delay and silence, but also to introduce the plan that he now had in mind; which was if only she could wait until the sixth, then assuredly, without fail as to any particular, he would meet her at any place she would choose to come—Homer, Fonda, Lycurgus, Little Falls—only since they were trying to keep everything so secret, he would suggest that she come to Fonda on the morning of the sixth in order to make the noon train for Utica. There they could spend the night since they could not very well discuss and decide on their plans over the telephone, now, and then they could act upon whatever they had decided. Besides he could tell her better then just how he thought they ought to do. He had an idea—a little trip maybe, somewhere before they got married or after, just as she wished, but—something nice anyhow—(his voice grew husky and his knees and hands shook slightly as he said this, only Roberta could not detect the sudden perturbation within him). But she must not ask him now. He could not tell her over the phone. But as sure as anything, at noon on the sixth, he would be on the station platform at Fonda. All she had to do after seeing him was to buy her ticket to Utica and get in one coach, and he would buy his separately and get in another—the one just ahead or behind hers. On the way down, if she didn't see him at the station beforehand, he would pass through her car for a drink so that she could see that he was there—no more than that—but she mustn't speak to him. Then once in Utica, she should check her bag and he would follow her out to the nearest quiet corner. After that he would go and get her bag, and then they could go to some little hotel and he would take care of all the rest.

But she must do this. Would she have that much faith in him? If so, he would call her up on the third—the very next day—and on the morning of the sixth—sure, so that both he and she would know that everything was all right—that she was starting and that he would be there. What was that? Her trunk? The little one? Sure. If she needed it, certainly bring it. Only, if he were she, he would not trouble to try to bring

too much now, because once she was settled somewhere, it would be easy enough to send for anything else that she really needed.

As Clyde stood at the telephone in a small outlying drug store and talked—the lonely proprietor buried in a silly romance among his pots and phials at the back—it seemed as though the Giant Efrit that had previously materialized in the silent halls of his brain, was once more here at his elbow—that he himself, cold and numb and fearsome, was being talked through—not actually talking himself.

Go to the lake which you visited with Sondra!

Get travel folders of the region there from either the Lycurgus House here or the depot.

Go to the south end of it and from there walk south, afterwards.

Pick a boat that will upset easily—one with a round bottom, such as those you have seen here at Crum Lake and up there.

Buy a new and different hat and leave that on the water—one that cannot be traced to you. You might even tear the lining out of it so that it cannot be traced.

Pack all of your things in your trunk here, but leave it, so that swiftly, in the event that anything goes wrong, you can return here and get it and depart.

And take only such things with you as will make it seem as though you were going for an outing to Twelfth Lake—not away, so that should you be sought at Twelfth Lake, it will look as though you had gone only there, not elsewhere.

Tell her that you intend to marry her, but *after* you return from this outing, not before.

And if necessary strike a light blow, so as to stun her—no more—so that falling in the water, she will drown the more easily.

Do not fear!

Do not be weak!

Walk through the woods by night, not by day—so that when seen again you will be in Three Mile Bay or Sharon—and can say that you came from Racquette or Long Lake south, or from Lycurgus north.

Use a false name and alter your handwriting as much as possible.

Assume that you will be successful.

And whisper, whisper—let your language be soft, your tone tender, loving, even. It must be, if you are to win her to your will now.

So the Efrit of his own darker self.

CHAPTER XLVI

AND then at noon on Tuesday, July sixth, the station platform of the railroad running from Fonda to Utica, with Roberta stepping down from the train which came south from Biltz to await Clyde, for the train that was to take them to Utica was not due for another half hour. And fifteen minutes later Clyde himself coming from a side street and approaching the station from the south, from which position Roberta could not see him but from where, after turning the west corner of the depot and stationing himself behind a pile of crates, he could see her. How thin and pale indeed! By contrast with Sondra, how illy-dressed in the blue traveling suit and small brown hat with which she had equipped herself for this occasion—the promise of a restricted and difficult life as contrasted with that offered by Sondra. And she was thinking of compelling him to give up Sondra in order to marry her, and from which union he might never be able to extricate himself until such time as would make Sondra and all she represented a mere recollection. The difference between the attitudes of these two girls—Sondra with everything offering all—asking nothing of him; Roberta, with nothing, asking all.

A feeling of dark and bitter resentment swept over him and he could not help but feel sympathetic toward that unknown man at Pass Lake and secretly wish that he had been successful. Perhaps he, too, had been confronted by a situation just like this. And perhaps he had done right, too, after all, and that was why it had not been found out. His nerves twitched. His eyes were somber, resentful and yet nervous. Could it not happen again successfully in this case?

But here he was now upon the same platform with her as the result of her persistent and illogical demands, and he must be thinking how, and boldly, he must carry out the plans which, for four days, or ever since he had telephoned her, and in a dimmer way for the ten preceding those, he had been planning. This settled course must not be interfered with now. He must act! He must not let fear influence him to anything less than he had now planned.

And so it was that he now stepped forth in order that she

might see him, at the same time giving her a wise and seemingly friendly and informative look as if to say, "You see I am here." But behind the look! If only she could have pierced beneath the surface and sensed that dark and tortured mood, how speedily she would have fled. But now seeing him actually present, a heavy shadow that was lurking in her eyes lifted, the somewhat down-turned corners of her mouth reversed themselves, and without appearing to recognize him, she nevertheless brightened and at once proceeded to the window to purchase her ticket to Utica, as he had instructed her to do.

And she was now thinking that at last, at last he had come. And he was going to take her away. And hence a kind of gratefulness for this welling up in her. For they were to be together for seven or eight months at the least. And while it might take tact and patience to adjust things, still it might and probably could be done. From now on she must be the very soul of caution—not do or say anything that would irritate him in any way, since naturally he would not be in the best mood because of this. But he must have changed some—perhaps he was seeing her in a more kindly light—sympathizing with her a little, since he now appeared at last to have most gracefully and genially succumbed to the unavoidable. And at the same time noting his light gray suit, his new straw hat, his brightly polished shoes and the dark tan suitcase and (strange, equivocal, frivolous erraticism of his in this instance) the tripod of a recently purchased camera together with his tennis racquet in its canvas case strapped to the side—more than anything to conceal the initials C. G.—she was seized with much of her old-time mood and desire in regard to his looks and temperament. He was still, and despite his present indifference to her, her Clyde.

Having seen her secure her ticket, he now went to get his own, and then, with another knowing look in her direction, which said that everything was now all right, he returned to the eastern end of the platform, while she returned to her position at the forward end.

(*Why was that old man in that old brown winter suit and hat and carrying that bird cage in a brown paper looking at him so? Could he sense anything? Did he know him? Had he ever worked in Lycurgus or seen him before?*)

He was going to buy a second straw hat in Utica to-day—he must remember that—a straw hat with a Utica label, which

he would wear instead of his present one. Then, when she was not looking, he would put the old one in his bag with his other things. That was why he would have to leave her for a little while after they reached Utica—at the depot or library or somewhere—perhaps as was his first plan, take her to some small hotel somewhere and register as Mr. and Mrs. Carl Graham or Clifford Golden or Gehring (there was a girl in the factory by that name) so if they were ever traced in any way, it would be assumed that she had gone away with some man of that name.

(*That whistle of a train afar off. It must be coming now. His watch said twelve-twenty-seven.*)

And again he must decide what his manner toward her in Utica must be—whether very cordial or the opposite. For over the telephone, of course, he had talked very soft and genial-like because he had to. Perhaps it would be best to keep that up, otherwise she might become angry or suspicious or stubborn and that would make it hard.

(*Would that train never get here?*)

At the same time it was going to be very hard on him to be so very pleasant when, after all, she was driving him as she was—expecting him to do all that she was asking him to do and yet be nice to her. Damn! And yet if he weren't?—Supposing she should sense something of his thoughts in connection with this—really refuse to go through with it this way and spoil his plans.

(*If only his knees and hands wouldn't tremble so at times.*)

But no, how was she to be able to detect anything of that kind, when he himself had not quite made up his mind as to whether he would be able to go through with it or not? He only knew he was not going away with her, and that was all there was to that. He might not upset the boat, as he had decided on the day before, but just the same he was not going away with her.

But here now was the train. And there was Roberta lifting her bag. Was it too heavy for her in her present state? It probably was. Well, too bad. It was very hot to-day, too. At any rate he would help her with it later, when they were where no one could see them. She was looking toward him to be sure he was getting on—so like her these days, in her suspicious, doubt-

ful mood in regard to him. But here was a seat in the rear of the car on the shady side, too. That was not so bad. He would settle himself comfortably and look out. For just outside Fonda, a mile or two beyond, was that same Mohawk that ran through Lycurgus and past the factory, and along the banks of which the year before, he and Roberta had walked about this time. But the memory of that being far from pleasant now, he turned his eyes to a paper he had bought, and behind which he could shield himself as much as possible, while he once more began to observe the details of the more inward scene which now so much more concerned him—the nature of the lake country around Big Bittern, which ever since that final important conversation with Roberta over the telephone, had been interesting him more than any other geography of the world.

For on Friday, after the conversation, he had stopped in at the Lycurgus House and secured three different folders relating to hotels, lodges, inns and other camps in the more remote region beyond Big Bittern and Long Lake. (If only there were some way to get to one of those completely deserted lakes described by that guide at Big Bittern—only, perhaps, there might not be any rowboats on any of these lakes at all! And again on Saturday, had he not secured four more circulars from the rack at the depot (they were in his pocket now)? Had they not proved how many small lakes and inns there were along this same railroad, which ran north to Big Bittern, to which he and Roberta might resort for a day or two if she would—a night, anyhow, before going to Big Bittern and Grass Lake—had he not noted that in particular —a beautiful lake it had said—near the station, and with at least three attractive lodges or country home inns where two could stay for as low as twenty dollars a week. That meant that two could stay for one night surely for as little as five dollars. It must be so surely—and so he was going to say to her, as he had already planned these several days, that she needed a little rest before going away to a strange place. That it would not cost very much—about fifteen dollars for fares and all, so the circulars said—if they went to Grass Lake for a night—this same night after reaching Utica—or on the morrow, anyhow. And he would have to picture it all to her as a sort of honeymoon journey—a little pleasant outing—before getting married. And it would not do to succumb to any plan of hers to get married before they did this—that would never do.

(*Those five birds winging toward that patch of trees over there—below that hill.*)

It certainly would not do to go direct to Big Bittern from Utica for a boat ride—just one day—seventy miles. That would not sound right to her, or to any one. It would make her suspicious, maybe. It might be better, since he would have to get away from her to buy a hat in Utica, to spend this first night there at some inexpensive, inconspicuous hotel, and once there, suggest going up to Grass Lake. And from there they could go to Big Bittern in the morning. He could say that Big Bittern was nicer—or that they would go down to Three Mile Bay—a hamlet really as he knew—where they could be married, but en route stop at Big Bittern as a sort of lark. He would say that he wanted to show her the lake—take some pictures of her and himself. He had brought his camera for that and for other pictures of Sondra later.

The blackness of this plot of his!

(*Those nine black and white cows on that green hillside.*)

But again, strapping that tripod along with his tennis racquet to the side of his suitcase, might not that cause people to imagine that they were passing tourists from some distant point, maybe, and if they both disappeared, well, then, they were not people from anywhere around here, were they? Didn't the guide say that the water in the lake was all of seventy-five feet deep—like that water at Pass Lake? And as for Roberta's grip—oh, yes, what about that? He hadn't even thought about that as yet, really.

(*Those three automobiles out there running almost as fast as this train.*)

Well, in coming down from Grass Lake after one night there (he could say that he was going to marry her at Three Mile Bay at the north end of Greys Lake, where a minister lived whom he had met), he would induce her to leave her bag at that Gun Lodge station, where they took the bus over to Big Bittern, while he took his with him. He could just say to some one—the boatman, maybe, or the driver, that he was taking his camera in his bag, and ask where the best views were. Or maybe a lunch. Was that not a better idea—to take a lunch and so deceive Roberta, too, perhaps? And that would tend to mislead the driver, also, would it not? People did carry cameras in bags, when they went out on lakes, at times. At any rate it was most necessary for him to carry his bag in this instance. Else why the plan to go south to that island and from thence through the woods?

(*Oh, the grimness and the terror of this plan! Could he really execute it?*)

But that strange cry of that bird at Big Bittern. He had not liked that, or seeing that guide up there who might remember him now. He had not talked to him at all—had not even gotten out of the car, but had only looked out at him through the window; and in so far as he could recall the guide had not even once looked at him—had merely talked to Grant Cranston and Harley Baggott, who had gotten out and had done all the talking. But supposing this guide should be there and remember him? But how could that be when he really had not seen him? This guide would probably not remember him at all—might not even be there. But why should his hands and face be damp all the time now—wet almost, and cold—his knees shaky?

(*This train was following the exact curve of this stream—and last summer he and Roberta. But no*—)

As soon as they reached Utica now this was the way he would do—and must keep it well in mind and not get rattled in any way. He must not—he must not. He must let her walk up the street before him, say a hundred feet or so between them, so that no one would think he was following her, of course. And then when they were quite alone somewhere he would catch up with her and explain all about this—be very nice as though he cared for her as much as ever now—he would have to—if he were to get her to do as he wanted. And then—and then, oh, yes, have her wait while he went for that extra straw hat that he was going to—well, leave on the water, maybe. And the oars, too, of course. And her hat—and—well—

(*The long, sad sounding whistle of this train. Damn. He was getting nervous already.*)

But before going to the hotel, he must go back to the depot and put his new hat in the bag, or better yet, carry it while he looked for the sort of hotel he wanted, and then, before going to Roberta, take the hat and put it in his bag. Then he would go and find her and have her come to the entrance of the hotel he had found and wait for him, while he got the bags. And, of course, if there was no one around or very few, they would enter together, only she could wait in the ladies' parlor somewhere, while he went and registered as Charles Golden, maybe,

this time. And then, well, in the morning, if she agreed, or to-night, for that matter, if there were any trains—he would have to find out about that—they could go up to Grass Lake in separate cars until they were past Twelfth Lake and Sharon, at any rate.

(*The beautiful Cranston Lodge there and Sondra.*)

And then—and then—

(*That big red barn and that small white house near it. And that wind-mill. So like those houses and barns that he had seen out there in Illinois and Missouri. And Chicago, too.*)

And at the same time Roberta in her car forward thinking that Clyde had not appeared so very unfriendly to her. To be sure, it was hard on him, making him leave Lycurgus in this way, and when he might be enjoying himself as he wished to. But on the other hand, here was she—and there was no other way for her to be. She must be very genial and yet not put herself forward too much or in his way. And yet she must not be too receding or weak, either, for, after all, Clyde was the one who had placed her in this position. And it was only fair, and little enough for him to do. She would have a baby to look after in the future, and all that trouble to go through with from now on. And later, she would have to explain to her parents this whole mysterious proceeding, which covered her present disappearance and marriage, if Clyde really did marry her now. But she must insist upon that—and soon—in Utica, perhaps—certainly at the very next place they went to—and get a copy of her marriage certificate, too, and keep it for her own as well as the baby's sake. He could get a divorce as he pleased after that. She would still be Mrs. Griffiths. And Clyde's baby and hers would be a Griffiths, too. That was something.

(*How beautiful the little river was. It reminded her of the Mohawk and the walks she and he had taken last summer when they first met. Oh, last summer! And now this!*)

And they would settle somewhere—in one or two rooms, no doubt. Where, she wondered—in what town or city? How far away from Lycurgus or Biltz—the farther from Biltz the better, although she would like to see her mother and father again, and soon—as soon as she safely could. But what matter, as long

as they were going away together and she was to be married?

Had he noticed her blue suit and little brown hat? And had he thought she looked at all attractive compared to those rich girls with whom he was always running? She must be very tactful—not irritate him in any way. But—oh, the happy life they could have if only—if only he cared for her a little—just a little . . .

And then Utica, and on a quiet street Clyde catching up with Roberta, his expression a mixture of innocent geniality and good-will, tempered by worry and opposition, which was really a mask for the fear of the deed that he himself was contemplating—his power to execute it—the consequences in case he failed.

CHAPTER XLVII

AND then, as planned that night between them—a trip to Grass Lake the next morning in separate cars, but which, upon their arrival and to his surprise, proved to be so much more briskly tenanted than he anticipated. He was very much disturbed and frightened by the evidence of so much active life up here. For he had fancied this, as well as Big Bittern, would be all but deserted. Yet here now, as both could see, it was the summer seat and gathering place of some small religious organization or group—the Winebrennarians of Pennsylvania—as it proved, with a tabernacle and numerous cottages across the lake from the station. And Roberta at once exclaiming:

"Now, there, isn't that cute? Why couldn't we be married over there by the minister of that church?"

And Clyde, puzzled and shaken by this sudden and highly unsatisfactory development, at once announced: "Why, sure—I'll go over after a bit and see," yet his mind busy with schemes for circumventing her. He would take her out in a boat after registering and getting settled and remain too long. Or should a peculiarly remote and unobserved spot be found . . . but no, there were too many people here. The lake was not large enough, and probably not very deep. It was black or dark like tar, and sentineled to the east and north by tall, dark pines—the serried spears of armed and watchful giants, as they now seemed to him —ogres almost—so gloomy, suspicious and fantastically erratic was his own mood in regard to all this. But still there were too many people—as many as ten on the lake.

The weirdness of it.

The difficulty.

But whisper:—one could not walk from here through any woods to Three Mile Bay. Oh, no. That was all of thirty miles to the south now. And besides this lake was less lonely—probably continually observed by members of this religious group. Oh, no—he must say—he must say—but what—could he say? That he had inquired, and that no license could be procured here? Or that the minister was away, or that he required certain identifications which he did not have—or—or, well, well—

anything that would serve to still Roberta until such hour to-morrow, as the train south from here left for Big Bittern and Sharon, where, of course, they would surely be married.

Why should she be so insistent? And why, anyhow, and except for her crass determination to force him in this way, should he be compelled to track here and there with her—every hour—every minute of which was torture—an unending mental crucifixion really, when, if he were but rid of her! Oh, Sondra, Sondra, if but now from your high estate, you might bend down and aid me. No more lies! No more suffering! No more misery of any kind!

But instead, more lies. A long and aimless and pestilential search for water-lilies, which because of his own restless mood, bored Roberta as much as it did him. For why, she was now thinking to herself as they rowed about, this indifference to this marriage possibility, which could have been arranged before now and given this outing the dream quality it would and should have had, if only—if only he had arranged for everything in Utica, even as she had wanted. But this waiting—evasion—and so like Clyde, his vacillating, indefinite, uncertain mood, always. She was beginning to wonder now as to his intentions again—whether really and truly he did intend to marry her as he had promised. To-morrow, or the next day at most, would show. So why worry now?

And then the next day at noon, Gun Lodge and Big Bittern itself and Clyde climbing down from the train at Gun Lodge and escorting Roberta to the waiting bus, the while he assured her that since they were coming back this way, it would be best if she were to leave her bag here, while he, because of his camera as well as the lunch done up at Grass Lake and crowded into his suitcase, would take his own with him, because they would lunch on the lake. But on reaching the bus, he was dismayed by the fact that the driver was the same guide whom he had heard talk at Big Bittern. What if it should prove now that this guide had seen and remembered him! Would he not at least recall the handsome Finchley car—Bertine and Stuart on the front seat—himself and Sondra at the back—Grant and that Harley Baggott talking to him outside?

At once that cold perspiration that had marked his more nervous and terrified moods for weeks past, now burst forth on his face and hands. Of what had he been thinking, anyhow? How planning? In God's name, how expect to carry a thing like this through, if he were going to think so poorly? It was like his failing to wear his cap from Lycurgus to Utica, or at least

getting it out of his bag before he tried to buy that straw hat; it was like not buying the straw hat before he went to Utica at all.

Yet the guide did not remember him, thank God! On the contrary he inquired rather curiously, and as of a total stranger: "Goin' over to the lodge at Big Bittern? First time up here?" And Clyde, enormously relieved and yet really tremulous, replied: "Yes," and then in his nervous excitement asked: "Many people over there to-day?" a question which the moment he had propounded it, seemed almost insane. Why, why, of all questions, should he ask that? Oh, God, would his silly, self-destructive mistakes never cease?

So troubled was he indeed, now, that he scarcely heard the guide's reply, or, if at all, as a voice speaking from a long way off. "Not so many. About seven or eight, I guess. We did have about thirty over the Fourth, but the most o' them went down yesterday."

The stillness of these pines lining this damp yellow road along which they were traveling; the cool and the silence; the dark shadows and purple and gray depths and nooks in them, even at high noon. If one were slipping away at night or by day, who would encounter one here? A blue-jay far in the depths somewhere uttered its metallic shriek; a field sparrow, tremulous upon some distant twig, filled the silver shadows with its perfect song. And Roberta, as this heavy, covered bus crossed rill and thin stream, and then rough wooden bridges here and there, commented on the clarity and sparkle of the water: "Isn't that wonderful in there? Do you hear the tinkling of that water, Clyde? Oh, the freshness of this air!"

And yet she was going to die so soon!

God!

But supposing now, at Big Bittern—the lodge and boathouse there—there were many people. Or that the lake, peradventure, was literally dotted with those that were there—all fishermen and all fishing here and there, each one separate and alone—no privacy or a deserted spot anywhere. And how strange he had not thought of that. This lake was probably not nearly as deserted as he had imagined, or would not be to-day, any more than Grass Lake had proved. And then what?

Well, flight then—flight—and let it go at that. This strain was too much—hell—he would die, thinking thoughts like these. How could he have dreamed to better his fortunes by any so wild and brutal a scheme as this anyhow—to kill and then run away—or rather to kill and pretend that he and she had drowned —while he—the real murderer—slipped away to life and hap-

piness. What a horrible plan! And yet how else? How? Had he not come all this way to do this? And was he going to turn back now?

And all this time Roberta at his side was imagining that she was not going to anything but marriage—to-morrow morning sure; and now only to the passing pleasure of seeing this beautiful lake of which he had been talking—talking, as though it were something more important and delectable than any that had as yet been in her or his life for that matter.

But now the guide was speaking again, and to him: "You're not mindin' to stay over, I suppose. I see you left the young lady's bag over there." He nodded in the direction of Gun Lodge.

"No, we're going on down to-night—on that 8:10. You take people over to that?"

"Oh, sure."

"They said you did—at Grass Lake."

But now why should he have added that reference to Grass Lake, for that showed that he and Roberta had been there before coming here. But this fool with his reference to "the young lady's bag!" And leaving it at Gun Lodge. The Devil! Why shouldn't he mind his own business? Or why should he have decided that he and Roberta were not married? Or had he so decided? At any rate, why such a question when they were carrying two bags and he had brought one? Strange! The effrontery! How should he know or guess or what? But what harm could it do—married or unmarried? If she were not found—"married or unmarried" would make no difference, would it? And if she were, and it was discovered that she was not married, would that not prove that she was off with some one else? Of course! So why worry over that now?

And Roberta asking: "Are there any hotels or boarding houses on the lake besides this one we're going to?"

"Not a one, miss, outside o' the inn that we're goin' to. There was a crowd of young fellers and girls campin' over on the east shore, yisterday, I believe, about a mile from the inn—but whether they're there now or not, I dunno. Ain't seen none of 'em to-day."

A crowd of young fellows and girls! For God's sake! And might not they now be out on the water—all of them—rowing—or sailing—or what? And he here with her! Maybe some of them from Twelfth Lake! Just as he and Sondra and Harriet and Stuart and Bertine had come up two weeks before—some of them friends of the Cranstons, Harriets, Finchleys or others who

had come up here to play and who would remember him, of course. And again, then, there must be a road to the east of this lake. And all this knowledge and their presence there now might make this trip of his useless. Such silly plotting! Such pointless planning as this—when at least he might have taken more time—chosen a lake still farther away and should have—only so tortured had he been for these last many days, that he could scarcely think how to think. Well, all he could do now was to go and see. If there were many he must think of some way to row to some real lonely spot or may turn and return to Grass Lake—or where? Oh, what could or would he do—if there were many over here?

But just then a long aisle of green trees giving out at the far end as he now recalled upon a square of lawn, and the lake itself, the little inn with its pillared verandah, facing the dark blue waters of Big Bittern. And that low, small red-roofed boathouse to the right on the water that he had seen before when he was here. And Roberta exclaiming on sight, "Oh, it is pretty, isn't it—just beautiful." And Clyde surveying that dark, low island in the distance, to the south, and seeing but few people about—none on the lake itself—exclaiming nervously, "Yes, it is, you bet." But feeling half choked as he said it.

And now the host of the inn himself appearing and approaching —a medium-sized, red-faced, broad-shouldered man who was saying most intriguingly, "Staying over for a few days?"

But Clyde, irritated by this new development and after paying the guide a dollar, replying crustily and irritably, "No, no—just came over for the afternoon. We're going on down to-night."

"You'll be staying over for dinner then, I suppose? The train doesn't leave till eight fifteen."

"Oh, yes—that's so. Sure. Yes, well, in that case, we will." . . . For, of course, Roberta on her honeymoon—the day before her wedding and on a trip like this, would be expecting her dinner. Damn this stocky, red-faced fool, anyway.

"Well, then, I'll just take your bag and you can register. Your wife'll probably be wanting to freshen up a bit anyway."

He led the way, bag in hand, although Clyde's greatest desire was to snatch it from him. For he had not expected to register here—nor leave his bag either. And would not. He would recapture it and hire a boat. But on top of that, being compelled "for the register's sake," as Boniface phrased it, to sign Clifford Golden and wife—before he could take his bag again.

And then to add to the nervousness and confusion engendered by all this, thoughts as to what additional developments or per-

sons, even, he might encounter before leaving on his climacteric errand—Roberta announcing that because of the heat and the fact that they were coming back to dinner, she would leave her hat and coat—a hat in which he had already seen the label of Braunstein in Lycurgus—and which at the time caused him to meditate as to the wisdom of leaving or extracting it. But he had decided that perhaps afterwards—afterwards—if he should really do this—it might not make any difference whether it was there or not. Was she not likely to be identified anyhow, if found, and if not found, who was to know who she was?

In a confused and turbulent state mentally, scarcely realizing the clarity or import of any particular thought or movement or act now, he took up his bag and led the way to the boathouse platform. And then, after dropping the bag into the boat, asking of the boathouse keeper if he knew where the best views were, that he wanted to photograph them. And this done—the meaningless explanation over, assisting Roberta (an almost nebulous figure, she now seemed, stepping down into an insubstantial rowboat upon a purely ideational lake), he now stepped in after her, seating himself in the center and taking the oars.

The quiet, glassy, iridescent surface of this lake that now to both seemed, not so much like water as oil—like molten glass that, of enormous bulk and weight, resting upon the substantial earth so very far below. And the lightness and freshness and intoxication of the gentle air blowing here and there, yet scarcely rippling the surface of the lake. And the softness and furry thickness of the tall pines about the shore. Everywhere pines—tall and spearlike. And above them the humped backs of the dark and distant Adirondacks beyond. Not a rower to be seen. Not a house or cabin. He sought to distinguish the camp of which the guide had spoken. He could not. He sought to distinguish the voices of those who might be there—or any voices. Yet, except for the lock-lock of his own oars as he rowed and the voice of the boathouse keeper and the guide in converse two hundred, three hundred, five hundred, a thousand feet behind, there was no sound.

"Isn't it still and peaceful?" It was Roberta talking. "It seems to be so restful here. I think it's beautiful, truly, so much more beautiful than that other lake. These trees are so tall, aren't they? And those mountains. I was thinking all the way over how cool and silent that road was, even if it was a little rough."

"Did you talk to any one in the inn there just now?"

"Why, no; what makes you ask?"

"Oh, I thought you might have run into some one. There don't seem to be very many people up here to-day, though, does there?"

"No, I don't see any one on the lake. I saw two men in that billiard room at the back there, and there was a girl in the ladies' room, that was all. Isn't this water cold?" She had put her hand over the side and was trailing it in the blue-black ripples made by his oars.

"Is it? I haven't felt it yet."

He paused in his rowing and put out his hand, then resumed. He would not row directly to that island to the south. It was —too far—too early. She might think it odd. Better a little delay. A little time in which to think—a little while in which to reconnoiter. Roberta would be wanting to eat her lunch (her lunch!) and there was a charming looking point of land there to the west about a mile further on. They could go there and eat first—or she could—for he would not be eating to-day. And then—and then——

She was looking at the very same point of land that he was—a curved horn of land that bent to the south and yet reached quite far out into the water and combed with tall pines. And now she added:

"Have you any spot in mind, dear, where we could stop and eat? I'm getting a little hungry, aren't you?" (If she would only not call him *dear,* here and now!)

The little inn and the boathouse to the north were growing momentarily smaller,—looking now, like that other boathouse and pavilion on Crum Lake the day he had first rowed there, and when he had been wishing that he might come to such a lake as this in the Adirondacks, dreaming of such a lake—and wishing to meet such a girl as Roberta—then—— And overhead was one of those identical woolly clouds that had sailed above him at Crum Lake on that fateful day.

The horror of this effort!

They might look for water-lilies here to-day to kill time a little, before—to kill time . . . to kill, (God)—he must quit thinking of that, if he were going to do it at all. He needn't be thinking of it now, at any rate.

At the point of land favored by Roberta, into a minute protected bay with a small, curved, honey-colored beach, and safe from all prying eyes north or east. And then he and she stepping out normally enough. And Roberta, after Clyde had extracted the lunch most cautiously from his bag, spreading it on a news-

paper on the shore, while he walked here and there, making strained and yet admiring comments on the beauty of the scene—the pines and the curve of this small bay, yet thinking—thinking, thinking of the island farther on and the bay below that again somewhere, where somehow, and in the face of a weakening courage for it, he must still execute this grim and terrible business before him—not allow this carefully planned opportunity to go for nothing—if—if—he were to not really run away and leave all that he most desired to keep.

And yet the horror of this business and the danger, now that it was so close at hand—the danger of making a mistake of some kind—if nothing more, of not upsetting the boat right—of not being able to—to—oh, God! And subsequently, maybe, to be proved to be what he would be—then—a murderer. Arrested! Tried. (He could not, he would not, go through with it. No, no, no!)

And yet Roberta, sitting here with him now on the sand, feeling quite at peace with all the world as he could see. And she was beginning to hum a little, and then to make advisory and practical references to the nature of their coming adventure together—their material and financial state from now on—how and where they would go from here—Syracuse, most likely—since Clyde seemed to have no objection to that—and what, once there, they would do. For Roberta had heard from her brother-in-law, Fred Gabel, of a new collar and shirt factory that was just starting up in Syracuse. Might it not be possible for Clyde, for the time being at least, to get himself a position with that firm at once? And then later, when her own worst trouble was over, might not she connect herself with the same company, or some other? And temporarily, since they had so little money, could they not take a small room together somewhere in some family home, or if he did not like that, since they were by no means so close temperamentally as they once had been, then two small adjoining rooms, maybe. She could still feel his unrelenting opposition under all this present show of courtesy and consideration.

And he thinking, Oh, well, what difference such talk now? And whether he agreed or whether he did not. What difference since he was not going—or she either—that way. Great God! But here he was talking as though to-morrow she would be here still. And she would not be.

If only his knees would not tremble so; his hands and face and body continue so damp.

And after that, farther on down the west shore of this small

lake in this little boat, to that island, with Clyde looking nervously and wearily here and there to see that there was no one —no one—not anywhere in sight on land or water—no one. It was so still and deserted here, thank God. Here—or anywhere near here might do, really,—if only he had the courage so to do now, which he had not,—yet. Roberta trailing her hand in the water, asking him if he thought they might find some water-lilies or wild flowers somewhere on shore. Water-lilies! Wild flowers! And he convincing himself as he went that there were no roads, cabins, tents, paths, anything in the form of a habitation among these tall, close, ranking pines—no trace of any little boat on the widespread surface of this beautiful lake on this beautiful day. Yet might there not be some lone, solitary hunter and trapper or guide or fisherman in these woods or along these banks? Might there not be? And supposing there were one here now somewhere? And watching!

Fate!

Destruction!

Death! Yet no sound and no smoke. Only—only—these tall, dark, green pines—spear-shaped and still, with here and there a dead one—ashen pale in the hard afternoon sun, its gaunt, sapless arms almost menacingly outstretched.

Death!

And the sharp metallic cry of a blue-jay speeding in the depths of these woods. Or the lone and ghostly tap-tap-tap of some solitary woodpecker, with now and then the red line of a flying tanager, the yellow and black of a yellow-shouldered blackbird.

"Oh, the sun shines bright in my old Kentucky home."

It was Roberta singing cheerfully, one hand in the deep blue water.

And then a little later—"I'll be there Sunday if you will," one of the popular dance pieces of the day.

And then at last, after fully an hour of rowing, brooding, singing, stopping to look at some charming point of land, reconnoitering some receding inlet which promised water-lilies, and with Roberta already saying that they must watch the time and not stay out too long,—the bay, south of the island itself—a beautiful and yet most funereally pine-encircled and land delimited bit of water—more like a smaller lake, connected by an inlet or passage to the larger one, and yet itself a respectable body of water of perhaps twenty acres of surface and almost circular in form. The manner in which to the east, the north, the south, the west, even, except for the passage by which the island

to the north of it was separated from the mainland, this pool or tarn was encircled by trees! And cat-tails and water-lilies here and there—a few along its shores. And somehow suggesting an especially arranged pool or tarn to which one who was weary of life and cares—anxious to be away from the strife and contentions of the world, might most wisely and yet gloomily repair.

And as they glided into this, this still dark water seemed to grip Clyde as nothing here or anywhere before this ever had—to change his mood. For once here he seemed to be fairly pulled or lured along into it, and having encircled its quiet banks, to be drifting, drifting—in endless space where was no end of anything—no plots—no plans—no practical problems to be solved—nothing. The insidious beauty of this place! Truly, it seemed to mock him—this strangeness—this dark pool, surrounded on all sides by those wonderful, soft, fir trees. And the water itself looking like a huge, black pearl cast by some mighty hand, in anger possibly, in sport or phantasy maybe, into the bosom of this valley of dark, green plush—and which seemed bottomless as he gazed into it.

And yet, what did it all suggest so strongly? Death! Death! More definitely than anything he had ever seen before. Death! But also a still, quiet, unprotesting type of death into which one, by reason of choice or hypnosis or unutterable weariness, might joyfully and gratefully sink. So quiet—so shaded—so serene. Even Roberta exclaimed over this. And he now felt for the first time the grip of some seemingly strong, and yet friendly sympathetic, hands laid firmly on his shoulders. The comfort of them! The warmth! The strength! For now they seemed to have a steadying effect on him and he liked them—their reassurance—their support. If only they would not be removed! If only they would remain always—the hands of this friend! For where had he ever known this comforting and almost tender sensation before in all his life? Not anywhere—and somehow this calmed him and he seemed to slip away from the reality of all things.

To be sure, there was Roberta over there, but by now she had faded to a shadow or thought really, a form of illusion more vaporous than real. And while there was something about her in color, form that suggested reality—still she was very insubstantial—so very—and once more now he felt strangely alone. For the hands of the friend of firm grip had vanished also. And Clyde was alone, so very much alone and forlorn, in this somber, beautiful realm to which apparently he had been led, and then

deserted. Also he felt strangely cold—the spell of this strange beauty overwhelming him with a kind of chill.

He had come here for what?

And he must do what?

Kill Roberta? Oh, no.

And again he lowered his head and gazed into the fascinating and yet treacherous depths of that magnetic, bluish, purple pool, which, as he continued to gaze, seemed to change its form kaleidoscopically to a large, crystalline ball. But what was that moving about in this crystal? A form! It came nearer—clearer—and as it did so, he recognized Roberta struggling and waving her thin white arms out of the water and reaching toward him! God! How terrible! The expression on her face! What in God's name was he thinking of anyway? Death! Murder!

And suddenly becoming conscious that his courage, on which he had counted so much this long while to sustain him here, was leaving him, and he instantly and consciously plumbing the depths of his being in a vain search to recapture it.

Kit, kit, kit, Ca-a-a-ah!
Kit, kit, kit, Ca-a-a-ah!
Kit, kit, kit, Ca-a-a-ah!

(The weird, haunting cry of that unearthly bird again. So cold, so harsh! Here it was once more to startle him out of his soul flight into a realization of the real or unreal immediate problem with all of its torturesome angles that lay before him.)

He must face this thing! He must!

Kit, kit, kit, Ca-a-a-ah!
Kit, kit, kit, Ca-a-a-ah!

What was it sounding—a warning—a protest—condemnation? The same bird that had marked the very birth of this miserable plan. For there it was now upon that dead tree—that wretched bird. And now it was flying to another one—as dead—a little farther inland and crying as it did so. God!

And then to the shore again in spite of himself. For Clyde, in order to justify his having brought his bag, now must suggest that pictures of this be taken—and of Roberta—and of himself, possibly—on land and water. For that would bring her into the boat again, without his bag, which would be safe and dry on land. And once on shore, actually pretending to be seeking

out various special views here and there, while he fixed in his mind the exact tree at the base of which he might leave his bag against his return—which must be soon now—must be soon. They would not come on shore again together. Never! Never! And that in spite of Roberta protesting that she was getting tired; and did he not think they ought to be starting back pretty soon? It must be after five, surely. And Clyde, assuring her that presently they would—after he had made one or two more pictures of her in the boat with those wonderful trees—that island and this dark water around and beneath her.

His wet, damp, nervous hands!

And his dark, liquid, nervous eyes, looking anywhere but at her.

And then once more on the water again—about five hundred feet from shore, the while he fumbled aimlessly with the hard and heavy and yet small camera that he now held, as the boat floated out nearer the center. And then, at this point and time looking fearfully about. For now—now—in spite of himself, the long evaded and yet commanding moment. And no voice or figure or sound on shore. No road or cabin or smoke! And the moment which he or something had planned for him, and which was now to decide his fate at hand! The moment of action—of crisis! All that he needed to do now was to turn swiftly and savagely to one side or the other—leap up—upon the left wale or right and upset the boat; or, failing that, rock it swiftly, and if Roberta protested too much, strike her with the camera in his hand, or one of the oars free at his right. It could be done—it could be done—swiftly and simply, were he now of the mind and heart, or lack of it—with him swimming swiftly away thereafter to freedom—to success—of course—to Sondra and happiness—a new and greater and sweeter life than any he had ever known.

Yet why was he waiting now?

What was the matter with him, anyhow?

Why was he waiting?

At this cataclysmic moment, and in the face of the utmost, the most urgent need of action, a sudden palsy of the will—of courage—of hate or rage sufficient; and with Roberta from her seat in the stern of the boat gazing at his troubled and then suddenly distorted and fulgurous, yet weak and even unbalanced face—a face of a sudden, instead of angry, ferocious, demoniac—confused and all but meaningless in its registration of a bal-

anced combat between fear (a chemic revulsion against death or murderous brutality that would bring death) and a harried and restless and yet self-repressed desire to do—to do—to do—yet temporarily unbreakable here and now—a static between a powerful compulsion to do and yet not to do.

And in the meantime his eyes—the pupils of the same growing momentarily larger and more lurid; his face and body and hands tense and contracted—the stillness of his position, the balanced immobility of the mood more and more ominous, yet in truth not suggesting a brutal, courageous power to destroy, but the imminence of trance or spasm.

And Roberta, suddenly noticing the strangeness of it all—the something of eerie unreason or physical and mental indetermination so strangely and painfully contrasting with this scene, exclaiming: "Why, Clyde! Clyde! What is it? Whatever is the matter with you anyhow? You look so—so strange—so—so— Why, I never saw you look like this before. What is it?" And suddenly rising, or rather leaning forward, and by crawling along the even keel, attempting to approach him, since he looked as though he was about to fall forward into the boat—or to one side and out into the water. And Clyde, as instantly sensing the profoundness of his own failure, his own cowardice or inadequateness for such an occasion, as instantly yielding to a tide of submerged hate, not only for himself, but Roberta—her power—or that of life to restrain him in this way. And yet fearing to act in any way—being unwilling to—being willing only to say that never, never would he marry her—that never, even should she expose him, would he leave here with her to marry her—that he was in love with Sondra and would cling only to her—and yet not being able to say that even. But angry and confused and glowering. And then, as she drew near him, seeking to take his hand in hers and the camera from him in order to put it in the boat, he flinging out at her, but not even then with any intention to do other than free himself of her—her touch—her pleading—consoling sympathy—her presence forever—God!

Yet (the camera still unconsciously held tight) pushing at her with so much vehemence as not only to strike her lips and nose and chin with it, but to throw her back sidewise toward the left wale which caused the boat to careen to the very water's edge. And then he, stirred by her sharp scream, (as much due to the lurch of the boat, as the cut on her nose and lip), rising and reaching half to assist or recapture her and half to apologize for the unintended blow—yet in so doing completely capsizing the boat—himself and Roberta being as in-

stantly thrown into the water. And the left wale of the boat as it turned, striking Roberta on the head as she sank and then rose for the first time, her frantic, contorted face turned to Clyde, who by now had righted himself. For she was stunned, horror-struck, unintelligible with pain and fear—her lifelong fear of water and drowning and the blow he had so accidentally and all but unconsciously administered.

"Help! Help!

"Oh, my God, I'm drowning, I'm drowning. Help! Oh, my God!

"Clyde, Clyde!"

And then the voice at his ear!

"But this—this—is not this that which you have been thinking and wishing for this while—you in your great need? And behold! For despite your fear, your cowardice, this—this—has been done for you. An accident—an accident—an unintentional blow on your part is now saving you the labor of what you sought, and yet did not have the courage to do! But will you now, and when you need not, since it is an accident, by going to her rescue, once more plunge yourself in the horror of that defeat and failure which has so tortured you and from which this now releases you? You might save her. But again you might not! For see how she strikes about. She is stunned. She herself is unable to save herself and by her erratic terror, if you draw near her now, may bring about your own death also. But you desire to live! And her living will make your life not worth while from now on. Rest but a moment—a fraction of a minute! Wait—wait—ignore the pity of that appeal. And then—then— But there! Behold. It is over. She is sinking now. You will never, never see her alive any more—ever. And there is your own hat upon the water—as you wished. And upon the boat, clinging to that rowlock a veil belonging to her. Leave it. Will it not show that this was an accident?"

And apart from that, nothing—a few ripples—the peace and solemnity of this wondrous scene. And then once more the voice of that weird, contemptuous, mocking, lonely bird.

Kit, kit, kit, Ca-a-a-ah!
Kit, kit, kit, Ca-a-a-ah!
Kit, kit, kit, Ca-a-a-ah!

The cry of that devilish bird upon that dead limb—the weir-weir.

And then Clyde, with the sound of Roberta's cries still in his ears, that last frantic, white, appealing look in her eyes, swimming heavily, gloomily and darkly to shore. And the thought that, after all, he had not really killed her. No, no. Thank God for that. He had not. And yet (stepping up on the near-by bank and shaking the water from his clothes) had he? Or, had he not? For had he not refused to go to her rescue, and when he might have saved her, and when the fault for casting her in the water, however accidentally, was so truly his? And yet—and yet—

The dusk and silence of a closing day. A concealed spot in the depths of the same sheltering woods where alone and dripping, his dry bag near, Clyde stood, and by waiting, sought to dry himself. But in the interim, removing from the side of the bag the unused tripod of his camera and seeking an obscure, dead log farther in the woods, hiding it. Had any one seen? Was any one looking? Then returning and wondering as to the direction! He must go west and then south. He must not get turned about! But the repeated cry of that bird,—harsh, nerve shaking. And then the gloom, in spite of the summer stars. And a youth making his way through a dark, uninhabited wood, a dry straw hat upon his head, a bag in his hand, walking briskly and yet warily—south—south.

BOOK THREE

BOOK THREE

CHAPTER I

CATARAQUI COUNTY extending from the northernmost line of the village known as Three Mile Bay on the south to the Canadian border, on the north a distance of fifty miles. And from Senaschet and Indian Lakes on the east to the Rock and Scarf Rivers on the west—a width of thirty miles. Its greater portion covered by uninhabited forests and lakes, yet dotted here and there with such villages and hamlets as Koontz, Grass Lake, North Wallace, Brown Lake, with Bridgeburg, the county seat, numbering no less than two thousand souls of the fifteen thousand in the entire county. And the central square of the town occupied by the old and yet not ungraceful county courthouse, a cupola with a clock and some pigeons surmounting it, the four principal business streets of the small town facing it.

In the office of the County Coroner in the northeast corner of the building on Friday, July ninth, one Fred Heit, coroner, a large and broad-shouldered individual with a set of gray-brown whiskers such as might have graced a Mormon elder. His face was large and his hands and his feet also. And his girth was proportionate.

At the time that this presentation begins, about two-thirty in the afternoon, he was lethargically turning the leaves of a mail-order catalogue for which his wife had asked him to write. And while deciphering from its pages the price of shoes, jackets, hats, and caps for his five omnivorous children, a greatcoat for himself of soothing proportions, high collar, broad belt, large, impressive buttons chancing to take his eye, he had paused to consider regretfully that the family budget of three thousand dollars a year would never permit of so great luxury this coming winter, particularly since his wife, Ella, had had her mind upon a fur coat for at least three winters past.

However his thoughts might have eventuated on this occasion, they were interrupted by the whirr of a telephone bell.

"Yes, this is Mr. Heit speaking—Wallace Upham of Big

Bittern. Why, yes, go on, Wallace—young couple drowned—all right, just wait a minute——"

He turned to the politically active youth who drew a salary from the county under the listing of "secretary to the coroner"—"Get these points, Earl." Then into the telephone: "All right, Wallace, now give me all the facts—everything—yes. The body of the wife found but not that of the husband—yes—a boat upset on the south shore—yes—straw hat without any lining—yes—some marks about her mouth and eye—her coat and hat at the inn—yes—a letter in one of the pockets of the coat—addressed to who?—Mrs. Titus Alden, Biltz, Mimico County—yes—still dragging for the man's body, are they?—yes—no trace of him yet—I see. All right, Wallace—— Well—I'll tell you, Wallace, have them leave the coat and hat just where they are. Let me see—it's two-thirty now. I'll be up on the four o'clock. The bus from the inn there meets that, doesn't it? Well, I'll be over on that, sure—— And, Wallace, I wish you'd write down the names of all present who saw the body brought up. What was that?—eighteen feet of water at least?—yes—a veil caught in one of the row-locks—yes—a brown veil—yes—sure, that's all—— Well, then have them leave everything just as found, Wallace, and I'll be right up. Yes. Wallace, thank you—Good-by."

Slowly Mr. Heit restored the receiver to the hook and as slowly arose from the capacious walnut-hued chair in which he sat, stroking his heavy whiskers, while he eyed Earl Newcomb, combination typist, record clerk, and what not.

"You got all that down, did you, Earl?"

"Yes, sir."

"Well, you better get your hat and coat and come along with me. We'll have to catch that 3:10. You can fill in a few subpœnas on the train. I should say you better take fifteen or twenty—to be on the safe side, and take the names of such witnesses as we can find on the spot. And you better call up Mrs. Heit and say 'taint likely I'll be home for dinner to-night or much before the down train. We may have to stay up there until to-morrow. You never can tell in these cases how they're going to turn out and it's best to be on the safe side."

Heit turned to a coat-room in one corner of the musty old room and extracted a large, soft-brimmed, straw hat, the downward curving edges of which seemed to heighten the really bland and yet ogreish effect of his protruding eyes and voluminous whiskers, and having thus equipped himself, said: "I'm just going in the sheriff's office a minute, Earl. You'd better call up the

Republican and the *Democrat* and tell 'em about this, so they won't think we're slightin' 'em. Then I'll meet you down at the station." And he lumbered out.

And Earl Newcomb, a tall, slender, shock-headed young man of perhaps nineteen, and of a very serious, if at times befuddled, manner, at once seized a sheaf of subpœnas, and while stuffing these in his pocket, sought to get Mrs. Heit on the telephone. And then, after explaining to the newspapers about a reported double drowning at Big Bittern, he seized his own blue-banded straw hat, some two sizes too large for him, and hurried down the hall, only to encounter, opposite the wide-open office door of the district attorney, Zillah Saunders, spinster and solitary stenographer to the locally somewhat famous and mercurial Orville W. Mason, district attorney. She was on her way to the auditor's office, but being struck by the preoccupation and haste of Mr. Newcomb, usually so much more deliberate, she now called: "Hello, Earl. What's the rush? Where you going so fast?"

"Double drowning up at Big Bittern, we hear. Maybe something worse. Mr. Heit's going up and I'm going along. We have to make that 3:10."

"Who said so? Is it any one from here?"

"Don't know yet, but don't think so. There was a letter in the girl's pocket addressed to some one in Biltz, Mimico County, a Mrs. Alden. I'll tell you when we get back or I'll telephone you."

"My goodness, if it's a crime, Mr. Mason'll be interested, won't he?"

"Sure, I'll telephone him, or Mr. Heit will. If you see Bud Parker or Karel Badnell, tell 'em I had to go out of town, and call up my mother for me, will you, Zillah, and tell her, too. I'm afraid I won't have time."

"Sure I will, Earl."

"Thanks."

And, highly interested by this latest development in the ordinary humdrum life of his chief, he skipped gayly and even eagerly down the south steps of the Cataraqui County Courthouse, while Miss Saunders, knowing that her own chief was off on some business connected with the approaching County Republican Convention, and there being no one else in his office with whom she could communicate at this time, went on to the auditor's office, where it was possible to retail to any who might be assembled there, all that she had gathered concerning this seemingly important lake tragedy.

CHAPTER II

THE information obtained by Coroner Heit and his assistant was of a singular and disturbing character. In the first instance, because of the disappearance of a boat and an apparently happy and attractive couple bent on sight-seeing, an early morning search, instigated by the inn-keeper of this region, had revealed, in Moon Cove, the presence of the overturned canoe, also the hat and veil. And immediately such available employees, as well as guides and guests of the Inn, as could be impressed, had begun diving into the waters or by means of long poles equipped with hooks attempting to bring one or both bodies to the surface. The fact, as reported by Sim Shoop, the guide, as well as the innkeeper and the boat-house lessee, that the lost girl was both young and attractive and her companion seemingly a youth of some means, was sufficient to whet the interest of this lake group of woodsmen and inn employees to a point which verged on sorrow. And in addition, there was intense curiosity as to how, on so fair and windless a day, so strange an accident could have occurred.

But what created far more excitement after a very little time was the fact that at high noon one of the men who trolled—John Pole—a woodsman, was at last successful in bringing to the surface Roberta herself, drawn upward by the skirt of her dress, obviously bruised about the face—the lips and nose and above and below the right eye—a fact which to those who were assisting at once seemed to be suspicious. Indeed, John Pole, who with Joe Rainer at the oars was the one who had succeeded in bringing her to the surface, had exclaimed at once on seeing her: "Why, the pore little thing! She don't seem to weigh more'n nothin' at all. It's a wonder tuh me she coulda sunk." And then reaching over and gathering her in his strong arms, he drew her in, dripping and lifeless, while his companions signaled to the other searchers, who came swiftly. And putting back from her face the long, brown, thick hair which the action of the water had swirled concealingly across it, he had added: "I do declare, Joe! Looka here. It does look like the child mighta been hit by somethin'! Looka here, Joe!" And soon the group of woods-

men and inn guests in their boats alongside were looking at the brownish-blue marks on Roberta's face.

And forthwith, even while the body of Roberta was being taken north to the boat-house, and the dragging for the body of the lost man was resumed, suspicions were being voiced in such phrases as: "Well, it looks kinda queer—them marks—an' all,—don't it? It's curious a boat like that coulda upset on a day like yesterday." "We'll soon know if he's down there or not!"; the feeling, following failure after hours of fruitless search for him, definitely coalescing at last into the conclusion that more than likely he was not down there at all—a hard and stirring thought to all.

Subsequent to this, the guide who had brought Clyde and Roberta from Gun Lodge conferring with the inn-keepers at Big Bittern and Grass Lake, it was factually determined: (1) that the drowned girl had left her bag at Gun Lodge whereas Clifford Golden had taken his with him; (2) that there was a disturbing discrepancy between the registration at Grass Lake and that at Big Bittern, the names Carl Graham and Clifford Golden being carefully discussed by the two inn-keepers and the identity of the bearer as to looks established; and (3) that the said Clifford Golden or Carl Graham had asked of the guide who had driven him over to Big Bittern whether there were many people on the lake that day. And thereafter the suspicions thus far engendered further coalescing into the certainty that there had been foul play. There was scarcely any doubt of it.

Immediately upon his arrival Coroner Heit was made to understand that these men of the north woods were deeply moved and in addition determined in their suspicions. They did not believe that the body of Clifford Golden or Carl Graham had ever sunk to the bottom of the lake. With the result that Heit on viewing the body of the unknown girl laid carefully on a cot in the boat-house, and finding her young and attractive, was strangely affected, not only by her looks but this circumambient atmosphere of suspicion. Worse yet, on retiring to the office of the manager of the inn, and being handed the letter found in the pocket of Roberta's coat, he was definitely swayed in the direction of a somber and unshakable suspicion. For he read:

Grass Lake, N. Y., July 8th.

DEAREST MAMMA:

We're up here and we're going to be married, but this is for your eyes alone. Please don't show it to papa or any one, for it mustn't become known yet. I told you why at Christmas. And you're not to worry or ask any questions or tell any one except just that you've

heard from me and know where I am—not anybody. And you mustn't think I won't be getting along all right because I will be. Here's a big hug and kiss for each cheek, mamma. Be sure and make father understand that it's all right without telling him anything, or Emily or Tom or Gifford, either, do you hear? I'm sending you nice, big kisses.

Lovingly,

BERT.

P.S. This must be your secret and mine until I write you different a little later on.

And in the upper right-hand corner of the paper, as well as on the envelope, were printed the words: "Grass Lake Inn, Grass Lake, N. Y., Jack Evans, Prop." And the letter had evidently been written the morning after the night they had spent at Grass Lake as Mr. and Mrs. Carl Graham.

The waywardness of young girls!

For plainly, as this letter indicated, these two had stayed together as man and wife at that inn when they were not as yet married. He winced as he read, for he had daughters of his own of whom he was exceedingly fond. But at this point he had a thought. A quadrennial county election was impending, the voting to take place the following November, at which were to be chosen for three years more the entire roster of county offices, his own included, and in addition this year a county judge whose term was for six years. In August, some six weeks further on, were to be held the county Republican and Democratic conventions at which were to be chosen the regular party nominees for these respective offices. Yet for no one of these places, thus far, other than that of the county judgeship, could the present incumbent of the office of district attorney possibly look forward with any hope, since already he had held the position of district attorney for two consecutive terms, a length of office due to the fact that not only was he a good orator of the inland political stripe but also, as the chief legal official of the county, he was in a position to do one and another of his friends a favor. But now, unless he were so fortunate as to be nominated and subsequently elected to this county judgeship, defeat and political doldrums loomed ahead. For during all his term of office thus far, there had been no really important case in connection with which he had been able to distinguish himself and so rightfully and hopefully demand further recognition from the people. But this . . .

But now, as the Coroner shrewdly foresaw, might not this case prove the very thing to fix the attention and favor of the people upon one man—the incumbent district attorney—a close and helpful friend of his, thus far—and so sufficiently redound to

his credit and strength, and through him to the party ticket itself, so that at the coming election all might be elected—the reigning district attorney thus winning for himself not only the nomination for but his election to the six-year term judgeship. Stranger things than this had happened in the political world.

Immediately he decided not to answer any questions in regard to this letter, since it promised a quick solution of the mystery of the perpetrator of the crime, if there had been one, plus exceptional credit in the present political situation to whosoever should appear to be instrumental in the same. At the same time he at once ordered Earl Newcomb, as well as the guide who had brought Roberta and Clyde to Big Bittern, to return to Gun Lodge station from where the couple had come and say that under no circumstances was the bag held there to be surrendered to any one save himself or a representative of the district attorney. Then, when he was about to telephone to Biltz to ascertain whether there was such a family as Alden possessing a daughter by the name of Bert, or possibly Alberta, he was most providentially, as it seemed to him, interrupted by two men and a boy, trappers and hunters of this region, who, accompanied by a crowd of those now familiar with the tragedy, were almost tumultuously ushered into his presence. For they had news—news of the utmost importance! As they now related, with many interruptions and corrections, at about five o'clock of the afternoon of the day on which Roberta was drowned, they were setting out from Three Mile Bay, some twelve miles south of Big Bittern, to hunt and fish in and near this lake. And, as they now unanimously testified, on the night in question, at about nine o'clock, as they were nearing the south shore of Big Bittern—perhaps three miles to the south of it—they had encountered a young man, whom they took to be some stranger making his way from the inn at Big Bittern south to the village at Three Mile Bay. He was a smartishly and decidedly well dressed youth for these parts, as they now said—wearing a straw hat and carrying a bag, and at the time they wondered why such a trip on foot and at such an hour since there was a train south early next morning which reached Three Mile Bay in an hour's time. And why, too, should he have been so startled at meeting them? For as they described it, on his encountering them in the woods thus, he had jumped back as though startled and worse—terrified—as though about to run. To be sure, the lantern one of them was carrying was turned exceedingly low, the moon being still bright, and they had walked quietly, as became men who were listening for wild life of any kind. At the same time, surely this was a

perfectly safe part of the country, traversed for the most part by honest citizens such as themselves, and there was no need for a young man to jump as though he were seeking to hide in the brush. However, when the youth, Bud Brunig, who carried the light, turned it up the stranger seemed to recover his poise and after a moment in response to their "Howdy" had replied: "How do you do? How far is it to Three Mile Bay?" and they had replied, "About seven mile." And then he had gone on and they also, discussing the encounter.

And now, since the description of this youth tallied almost exactly with that given by the guide who had driven Clyde over from Gun Lodge, as well as that furnished by the inn-keepers at Big Bittern and Grass Lake, it seemed all too plain that he must be the same youth who had been in that boat with the mysterious dead girl.

At once Earl Newcomb suggested to his chief that he be permitted to telephone to the one inn-keeper at Three Mile Bay to see if by any chance this mysterious stranger had been seen or had registered there. He had not. Nor apparently at that time had he been seen by any other than the three men. In fact, he had vanished as though into air, although by nightfall of this same day it was established that on the morning following the chance meeting of the men with the stranger, a youth of somewhat the same description and carrying a bag, but wearing a cap—not a straw hat—had taken passage for Sharon on the small lake steamer "Cygnus" plying between that place and Three Mile Bay. But again, beyond that point, the trail appeared to be lost. No one at Sharon, at least up to this time, seemed to recall either the arrival or departure of any such person. Even the captain himself, as he later testified, had not particularly noted his debarkation—there were some fourteen others going down the lake that day and he could not be sure of any one person.

But in so far as the group at Big Bittern was concerned, the conclusion slowly but definitely impressed itself upon all those present that whoever this individual was, he was an unmitigated villain—a reptilian villain! And forthwith there was doubled and trebled in the minds of all a most urgent desire that he be overtaken and captured. The scoundrel! The murderer! And at once there was broadcast throughout this region by word of mouth, telephone, telegraph, to such papers as *The Argus* and *Times-Union* of Albany, and *The Star* of Lycurgus, the news of this pathetic tragedy with the added hint that it might conceal a crime of the gravest character.

CHAPTER III

CORONER HEIT, his official duties completed for the time being, found himself pondering, as he traveled south on the lake train, how he was to proceed farther. What was the next step he should take in this pathetic affair? For the coroner, as he had looked at Roberta before he left, was really deeply moved. She seemed so young and innocent-looking and pretty. The little blue serge dress lying heavily and clinging tightly to her, her very small hands folded across her breast, her warm, brown hair still damp from its twenty-four hours in the water, yet somehow suggesting some of the vivacity and passion that had invested her in life—all seemed to indicate a sweetness which had nothing to do with crime.

But deplorable as it might be, and undoubtedly was, there was another aspect of the case that more vitally concerned himself. Should he go to Biltz and convey to the Mrs. Alden of the letter the dreadful intelligence of her daughter's death, at the same time inquiring about the character and whereabouts of the man who had been with her, or should he proceed first to District Attorney Mason's office in Bridgeburg and having imparted to him all of the details of the case, allow that gentleman to assume the painful responsibility of devastating a probably utterly respectable home? For there was the political situation to be considered. And while he himself might act and so take personal credit, still there was this general party situation to be thought of. A strong man should undoubtedly head and so strengthen the party ticket this fall and here was the golden opportunity. The latter course seemed wiser. It would provide his friend, the district attorney, with his great chance. Arriving in Bridgeburg in this mood, he ponderously invaded the office of Orville W. Mason, the district attorney, who immediately sat up, all attention, sensing something of import in the coroner's manner.

Mason was a short, broad-chested, broad-backed and vigorous individual physically, but in his late youth had been so unfortunate as to have an otherwise pleasant and even arresting face marred by a broken nose, which gave to him a most unprepossessing, almost sinister, look. Yet he was far from sinister. Rather, romantic and emotional. His boyhood had been one

of poverty and neglect, causing him in his later and somewhat more successful years to look on those with whom life had dealt more kindly as too favorably treated. The son of a poor farmer's widow, he had seen his mother put to such straits to make ends meet that by the time he reached the age of twelve he had surrendered nearly all of the pleasures of youth in order to assist her. And then, at fourteen, while skating, he had fallen and broken his nose in such a way as to forever disfigure his face. Thereafter, feeling himself handicapped in the youthful sorting contests which gave to other boys the female companions he most craved, he had grown exceedingly sensitive to the fact of his facial handicap. And this had eventually resulted in what the Freudians are accustomed to describe as a psychic sex scar.

At the age of seventeen, however, he had succeeded in interesting the publisher and editor of the Bridgeburg *Republican* to the extent that he was eventually installed as official local newsgatherer of the town. Later he came to be the Cataraqui County correspondent of such papers as the Albany *Times-Union* and the Utica *Star,* ending eventually at the age of nineteen with the privilege of studying law in the office of one ex-Judge Davis Richofer, of Bridgeburg. And a few years later, after having been admitted to the bar, he had been taken up by several county politicians and merchants who saw to it that he was sent to the lower house of the state legislature for some six consecutive years, where, by reason of a modest and at the same time shrewd and ambitious willingness to do as he was instructed, he attained favor with those at the capital while at the same time retaining the good will of his home-town sponsors. Later, returning to Bridgeburg and possessing some gifts of oratory, he was given, first, the position of assistant district attorney for four years, and following that elected auditor, and subsequently district attorney for two terms of four years each. Having acquired so high a position locally, he was able to marry the daughter of a local druggist of some means, and two children had been born to them.

In regard to this particular case he had already heard from Miss Saunders all she knew of the drowning, and, like the coroner, had been immediately impressed with the fact that the probable publicity attendant on such a case as this appeared to be might be just what he needed to revive a wavering political prestige and might perhaps solve the problem of his future. At any rate he was most intensely interested. So that now, upon sight of Heit, he showed plainly the keen interest he felt in the case.

"Well, Colonel Heit?"

"Well, Orville, I'm just back from Big Bittern. It looks to me as though I've got a case for you now that's going to take quite a little of your time."

Heit's large eyes bulged and conveyed hints of much more than was implied by his non-committal opening remark.

"You mean that drowning up there?" returned the district attorney.

"Yes, sir. Just that," replied the coroner.

"You've some reason for thinking there's something wrong up there?"

"Well, the truth is, Orville, I think there's hardly a doubt that this is a case of murder." Heit's heavy eyes glowed somberly. "Of course, it's best to be on the safe side, and I'm only telling you this in confidence, because even yet I'm not absolutely positive that that young man's body may not be in the lake. But it looks mighty suspicious to me, Orville. There's been at least fifteen men up there in rowboats all day yesterday and to-day, dragging the south part of that lake. I had a number of the boys take soundings here and there, and the water ain't more than twenty-five feet deep at any point. But so far they haven't found any trace of him. They brought her up about one o'clock yesterday, after they'd been only dragging a few hours, and a mighty pretty girl she is too, Orville—quite young —not more than eighteen or twenty, I should say. But there are some very suspicious circumstances about it all that make me think that he ain't in there. In fact, I never saw a case that I thought looked more like a devilish crime than this."

As he said this, he began to search in the right-hand pocket of his well-worn and baggy linen suit and finally extracted Roberta's letter, which he handed his friend, drawing up a chair and seating himself while the district attorney proceeded to read.

"Well, this does look rather suspicious, don't it?" he announced, as he finished. "You say they haven't found him yet. Well, have you communicated with this woman to see what she knows about it?"

"No, Orville, I haven't," replied Heit, slowly and meditatively. "And I'll tell you why. The fact is, I decided up there last night that this was something I had better talk over with you before I did anything at all. You know what the political situation here is just now. And how the proper handling of a case like this is likely to affect public opinion this fall. And while I certainly don't think we ought to mix politics in with crime there

certainly is no reason why we shouldn't handle this in such a way as to make it count in our favor. And so I thought I had better come and see you first. Of course, if you want me to, Orville, I'll go over there. Only I was thinking that perhaps it would be better for you to go, and find out just who this fellow is and all about him. You know what a case like this might mean from a political point of view, if only we clean it up, and I know you're the one to do it, Orville."

"Thanks, Fred, thanks," replied Mason, solemnly, tapping his desk with the letter and squinting at his friend. "I'm grateful to you for your opinion and you've outlined the very best way to go about it, I think. You're sure no one outside yourself has seen this letter?"

"Only the envelope. And no one but Mr. Hubbard, the proprietor of the inn up there, has seen that, and he told me that he found it in her pocket and took charge of it for fear it might disappear or be opened before I got there. He said he had a feeling there might be something wrong the moment he heard of the drowning. The young man had acted so nervous—strange-like, he said."

"Very good, Fred. Then don't say anything more about it to any one for the present, will you? I'll go right over there, of course. But what else did you find, anything?" Mr. Mason was quite alive now, interrogative, dynamic, and a bit dictatorial in his manner, even to his old friend.

"Plenty, plenty," replied the coroner, most sagely and solemnly. "There were some suspicious cuts or marks under the girl's right eye and above the left temple, Orville, and across the lip and nose, as though the poor little thing mighta been hit by something—a stone or a stick or one of those oars that they found floating up there. She's just a child yet, Orville, in looks and size, anyhow—a very pretty girl—but not as good as she might have been, as I'll show you presently." At this point the coroner paused to extract a large handkerchief and blow into it a very loud blast, brushing his beard afterward in a most orderly way. "I didn't have time to get a doctor up there and besides I'm going to hold the inquest down here Monday, if I can. I've ordered the Lutz boys to go up there to-day and bring her body down. But the most suspicious of all the evidence that has come to light so far, Orville, is the testimony of two men and a boy who live up at Three Mile Bay and who were walking up to Big Bittern on Thursday night to hunt and fish. I had Earl take down their names and subpœna 'em for the inquest next Monday."

And the coroner proceeded to detail their testimony about their accidental meeting of Clyde.

"Well, well!" interjected the district attorney, thoroughly interested.

"Then, another thing, Orville," continued the coroner, "I had Earl telephone the Three Mile Bay people, the owner of the hotel there as well as the postmaster and the town marshal, but the only person who appears to have seen the young man is the captain of that little steamboat that runs from Three Mile Bay to Sharon. You know the man, I guess, Captain Mooney. I left word with Earl to subpœna him too. According to him, about eight-thirty Friday morning, or just before his boat started for Sharon on its first trip, this same young man, or some one very much like the description furnished, carrying a suitcase and wearing a cap—he had on a straw hat when those three men met him—came on board and paid his way to Sharon and got off there. Good-looking young chap, the captain says. Very spry and well-dressed, more like a young society man than anything else, and very stand-offish."

"Yes, yes," commented Mason.

"I also had Earl telephone the people at Sharon—whoever he could reach—to see if he had been seen there getting off, but up to the time I left last night no one seemed to remember him. But I left word for Earl to telegraph a description of him to all the resort hotels and stations hereabouts so that if he's anywhere around, they'll be on the lookout for him. I thought you'd want me to do that. But I think you'd better give me a writ for that bag at Gun Lodge Station. That may contain something we ought to know. I'll go up and get it myself. Then I want to go to Grass Lake and Three Mile Bay and Sharon yet to-day, if I can, and see what else I can find. But I'm afraid, Orville, it's a plain case of murder. The way he took that young girl to that hotel up there at Grass Lake, and then registered under another name at Big Bittern, and the way he had her leave her bag and took his own with him!" He shook his head most solemnly. "Those are not the actions of an honest young man, Orville, and you know it. What I can't understand is how her parents could let her go off like that anywhere with a man without knowing about him in the first place."

"That's true," replied Mason, tactfully, but made intensely curious by the fact that it had at least been partially established that the girl in the case was not as good as she should have been. Adultery! And with some youth of means, no doubt, from some one of the big cities to the south. The prominence and publicity

with which his own activities in connection with this were likely to be laden! At once he got up, energetically stirred. If he could only catch such a reptilian criminal, and that in the face of all the sentiment that such a brutal murder was likely to inspire! The August convention and nominations. The fall election.

"Well, I'll be switched," he exclaimed, the presence of Heit, a religious and conservative man, suppressing anything more emphatic. "I do believe we're on the trail of something important, Fred. I really think so. It looks very black to me—a most damnable outrage. I suppose the first thing to do, really, is to telephone over there and see if there is such a family as Alden and exactly where they live. It's not more than fifty miles direct by car, if that much. Poor roads, though," he added. Then: "That poor woman. I dread that scene. It will be a painful one, I know."

Then he called Zillah and asked her to ascertain if there was such a person as Titus Alden living near Biltz. Also, exactly how to get there. Next he added: "The first thing to do will be to get Burton back here" (Burton being Burton Burleigh, his legal assistant, who had gone away for a week-end vacation) "and put him in charge so as to furnish you whatever you need in the way of writs and so on, Fred, while I go right over to see this poor woman. And then, if you'll have Earl go back up there and get that suitcase, I'll be most obliged to you. I'll bring the father back with me, too, to identify the body. But don't say anything at all about this letter now or my going over there until I see you later, see." He grasped the hand of his friend. "In the meantime," he went on, a little grandiosely, now feeling the tang of great affairs upon him, "I want to thank you, Fred. I certainly do, and I won't forget it, either. You know that, don't you?" He looked his old friend squarely in the eye. "This may turn out better than we think. It looks to be the biggest and most important case in all my term of office, and if we can only clean it up satisfactorily and quickly, before things break here this fall, it may do us all some good, eh?"

"Quite so, Orville, quite so," commented Fred Heit. "Not, as I said before, that I think we ought to mix politics in with a thing like this, but since it has come about so——" he paused, meditatively.

"And in the meantime," continued the district attorney, "if you'll have Earl have some pictures made of the exact position where the boat, oars, and hat were found, as well as mark the spot where the body was found, and subpœna as many witnesses

as you can, I'll have vouchers for it all put through with the auditor. And to-morrow or Monday I'll pitch in and help myself."

And here he gripped Heit's right hand—then patted him on the shoulder. And Heit, much gratified by his various moves so far—and in consequence hopeful for the future—now took up his weird straw hat and buttoning his thin, loose coat, returned to his office to get his faithful Earl on the long distance telephone to instruct him and to say that he was returning to the scene of the crime himself.

CHAPTER IV

ORVILLE MASON could readily sympathize with a family which on sight struck him as having, perhaps, like himself endured the whips, the scorns and the contumelies of life. As he drove up in his official car from Bridgeburg at about four o'clock that Saturday afternoon, there was the old tatterdemalion farmhouse and Titus Alden himself in his shirt-sleeves and overalls coming up from a pig-pen at the foot of the hill, his face and body suggesting a man who is constantly conscious of the fact that he has made out so poorly. And now Mason regretted that he had not telephoned before leaving Bridgeburg, for he could see that the news of his daughter's death would shock such a man as this most terribly. At the same time, Titus, noting his approach and assuming that it might be some one who was seeking a direction, civilly approached him.

"Is this Mr. Titus Alden?"

"Yes, sir, that's my name."

"Mr. Alden, my name is Mason. I am from Bridgeburg, district attorney of Cataraqui County."

"Yes, sir," replied Titus, wondering by what strange chance the district attorney of so distant a county should be approaching and inquiring of him. And Mason now looked at Titus, not knowing just how to begin. The bitterness of the news he had to impart—the crumpling power of it upon such an obviously feeble and inadequate soul. They had paused under one of the large, dark fir trees that stood in front of the house. The wind in its needles was whispering its world-old murmur.

"Mr. Alden," began Mason, with more solemnity and delicacy than ordinarily characterized him, "you are the father of a girl by the name of Bert, or possibly Alberta, are you not? I'm not sure that I have the name right."

"Roberta," corrected Titus Alden, a titillating sense of something untoward affecting his nerves as he said it.

And Mason, before making it impossible, probably, for this man to connectedly inform him concerning all that he wished to know, now proceeded to inquire: "By the way, do you happen to know a young man around here by the name of Clifford Golden?"

"I don't recall that I ever heard of any such person," replied Titus, slowly.

"Or Carl Graham?"

"No, sir. No one by that name either that I recall now."

"I thought so," exclaimed Mason, more to himself than to Titus. "By the way," this shrewdly and commandingly, "where is your daughter now?"

"Why, she's in Lycurgus at present. She works there. But why do you ask? Has she done anything she shouldn't—been to see you about anything?" He achieved a wry smile while his gray-blue eyes were by now perturbed by puzzled inquiry.

"One moment, Mr. Alden," proceeded Mason, tenderly and yet most firmly and effectively. "I will explain everything to you in a moment. Just now I want to ask you a few necessary questions." And he gazed at Titus earnestly and sympathetically. "How long has it been since you last saw your daughter?"

"Why, she left here last Tuesday morning to go back to Lycurgus. She works down there for the Griffiths Collar & Shirt Company. But——?"

"Now, one moment," insisted the district attorney determinedly, "I'll explain all in a moment. She was up here over the week-end, possibly. Is that it?"

"She was up here on a vacation for about a month," explained Titus, slowly and meticulously. "She wasn't feeling so very good and she came home to rest up a bit. But she was all right when she left. You don't mean to tell me, Mr. Mason, that anything has gone wrong with her, do you?" He lifted one long, brown hand to his chin and cheek in a gesture of nervous inquiry. "If I thought there was anything like that——?" He ran his hand through his thinning gray hair.

"Have you had any word from her since she left here?" Mason went on quietly, determined to extract as much practical information as possible before the great blow fell. "Any information that she was going anywhere but back there?"

"No, sir, we haven't. She's not hurt in any way, is she? She's not done anything that's got her into trouble? But, no, that couldn't be. But your questions! The way you talk." He was now trembling slightly, the hand that sought his thin, pale lips, visibly and aimlessly playing about his mouth. But instead of answering, the district attorney drew from his pocket the letter of Roberta to her mother, and displaying only the handwriting on the envelope, asked: "Is that the handwriting of your daughter?"

"Yes, sir, that's her handwriting," replied Titus, his voice ris-

ing slightly. "But what is this, Mr. District Attorney? How do you come to have that? What's in there?" He clinched his hands in a nervous way, for in Mason's eyes he now clearly foresaw tragedy in some form. "What is this—this—what has she written in that letter? You must tell me—if anything has happened to my girl!" He began to look excitedly about as though it were his intention to return to the house for aid—to communicate to his wife the dread that was coming upon him—while Mason, seeing the agony into which he had plunged him, at once seized him firmly and yet kindly by the arms and began:

"Mr. Alden, this is one of those dark times in the lives of some of us when all the courage we have is most needed. I hesitate to tell you because I am a man who has seen something of life and I know how you will suffer."

"She is hurt. She is dead, maybe," exclaimed Titus, almost shrilly, the pupils of his eyes dilating.

Orville Mason nodded.

"Roberta! My first born! My God! Our Heavenly Father!" His body crumpled as though from a blow and he leaned to steady himself against an adjacent tree. "But how? Where? In the factory by a machine? Oh, dear God!" He turned as though to go to his wife, while the strong, scar-nosed district attorney sought to detain him.

"One moment, Mr. Alden, one moment. You must not go to your wife yet. I know this is very hard, terrible, but let me explain. Not in Lycurgus. Not by any machine. No! No—drowned! In Big Bittern. She was up there on an outing on Thursday, do you understand? Do you hear? Thursday. She was drowned in Big Bittern on Thursday in a boat. It overturned."

The excited gestures and words of Titus at this point so disturbed the district attorney that he found himself unable to explain as calmly as he would have liked the process by which even an assumed accidental drowning had come about. From the moment the word death in connection with Roberta had been used by Mason, the mental state of Alden was that of one not a little demented. After his first demands he now began to vent a series of animal-like groans as though the breath had been knocked from his body. At the same time, he bent over, crumpled up as from pain—then struck his hands together and threw them to his temples.

"My Roberta dead! My daughter! Oh, no, no, Roberta! Oh, my God! Not drowned! It can't be. And her mother speaking of her only an hour ago. This will be the death of her

when she hears it. It will kill me, too. Yes, it will. Oh, my poor, dear, dear girl! My darling! I'm not strong enough to stand anything like this, Mr. District Attorney."

He leaned heavily and wearily upon Mason's arms while the latter sustained him as best he could. Then, after a moment, he turned questioningly and erratically toward the front door of the house at which he gazed as one might who was wholly demented. "Who's to tell her?" he demanded. "How is any one to tell her?"

"But, Mr. Alden," consoled Mason, "for your own sake, for your wife's sake, I must ask you now to calm yourself and help me consider this matter as seriously as you would if it were not your daughter. There is much more to this than I have been able to tell you. But you must be calm. You must allow me to explain. This is all very terrible and I sympathize with you wholly. I know what it means. But there are some dreadful and painful facts that you will have to know about. Listen. Listen."

And then, still holding Titus by the arm he proceeded to explain as swiftly and forcefully as possible, the various additional facts and suspicions in connection with the death of Roberta, finally giving him her letter to read, and winding up with: "A crime! A crime, Mr. Alden! That's what we think over in Bridgeburg, or at least that's what we're afraid of—plain murder, Mr. Alden, to use a hard, cold word in connection with it." He paused while Alden, struck by this—the element of crime—gazed as one not quite able to comprehend. And, as he gazed, Mason went on: "And as much as I respect your feelings, still as the chief representative of the law in my county, I felt it to be my personal duty to come here to-day in order to find out whether there is anything that you or your wife or any of your family know about this Clifford Golden, or Carl Graham, or whoever he is who lured your daughter to that lonely lake up there. And while I know that the blackest of suffering is yours right now, Mr. Alden, I maintain that it should be your wish, as well as your duty, to do whatever you can to help us clear up this matter. This letter here seems to indicate that your wife at least knows something concerning this individual—his name, anyhow." And he tapped the letter significantly and urgently.

The moment the suggested element of violence and wrong against his daughter had been injected into this bitter loss, there was sufficient animal instinct, as well as curiosity, resentment and love of the chase inherent in Titus to cause him to recover his balance sufficiently to give silent and solemn ear to what the dis-

trict attorney was saying. His daughter not only drowned, but murdered, and that by some youth who according to this letter she was intending to marry! And he, her father, not even aware of his existence! Strange that his wife should know and he not. And that Roberta should not want him to know.

And at once, born for the most part of religion, convention and a general rural suspicion of all urban life and the mystery and involuteness of its ungodly ways, there sprang into his mind the thought of a city seducer and betrayer—some youth of means, probably, whom Roberta had met since going to Lycurgus and who had been able to seduce her by a promise of marriage which he was not willing to fulfill. And forthwith there flared up in his mind a terrible and quite uncontrollable desire for revenge upon any one who could plot so horrible a crime as this against his daughter. The scoundrel! The raper! The murderer!

Here he and his wife had been thinking that Roberta was quietly and earnestly and happily pursuing her hard, honest way in Lycurgus in order to help them and herself. And from Thursday afternoon until Friday her body had lain beneath the waters of that lake. And they asleep in their comfortable beds, or walking about, totally unaware of her dread state. And now her body in a strange room or morgue somewhere, unseen and unattended by any of all those who loved her so—and to-morrow to be removed by cold, indifferent public officials to Bridgeburg.

"If there is a God," he exclaimed excitedly, "He will not let such a scoundrel as this go unpunished! Oh, no, He will not! 'I have yet to see,' " he suddenly quoted, " 'the children of the righteous forsaken or their seed begging for bread.' " At the same time, a quivering compulsion for action dominating him, he added: "I must talk to my wife about this right away. Oh, yes, I must. No, no, you wait here. I must tell her first, and alone. I'll be back. I'll be back. You just wait here. I know it will kill her. But she must know about this. Maybe she can tell us who this is and then we can catch him before he manages to get too far away. But, oh, my poor girl! My poor, dear Roberta! My good, kind, faithful daughter!"

And so, talking in a maundering manner, his eyes and face betraying an only half-sane misery, he turned, the shambling, automaton-like motions of his angular figure now directing him to a lean-to, where, as he knew, Mrs. Alden was preparing some extra dishes for the next day, which was Sunday. But once there he paused in the doorway without the courage to approach further, a man expressing in himself all the pathos of helpless hu-

manity in the face of the relentless and inexplicable and indifferent forces of Life!

Mrs. Alden turned, and at the sight of his strained expression, dropped her own hands lifelessly, the message of his eyes as instantly putting to flight the simple, weary and yet peaceful contemplation in her own.

"Titus! For goodness' sake! Whatever *is* the matter?"

Lifted hands, half-open mouth, an eerie, eccentric and uncalculated tensing and then widening of the eyelids, and then the word: "Roberta!"

"What about her? What about her? Titus—what about her?"

Silence. More of those nervous twitchings of the mouth, eyes, hands. Then . . . "Dead! She's been—been drowned!" followed by his complete collapse on a bench that stood just inside the door. And Mrs. Alden, staring for a moment, at first not quite comprehending, then fully realizing, sinking heavily and without a word to the floor. And Titus, looking at her and nodding his head as if to say: "Quite right. So should it be. Momentary escape for her from the contemplation of this horrible fact." And then slowly rising, going to her and kneeling beside her, straightening her out. Then as slowly going out of the door and around to the front of the house where Orville Mason was seated on the broken front steps, contemplating speculatively along with the afternoon sun in the west the misery that this lorn and incompetent farmer was conveying to his wife. And wishing for the moment that it might be otherwise—that no such case, however profitable to himself, had arisen.

But now, at sight of Titus Alden, he jumped up and preceded the skeleton-like figure into the lean-to. And finding Mrs. Alden, as small as her daughter nearly, and limp and still, he gathered her into his strong arms and carried her through the dining-room into the living-room, where stood an antiquated lounge, on which he laid her. And there, feeling for her pulse, and then hurrying for some water, while he looked for some one—a son, daughter, neighbor, any one. But not seeing any one, hurrying back with the water to dash a little of it on her face and hands.

"Is there a doctor anywhere near here?" He was addressing Titus, who was now kneeling by his wife.

"In Biltz—yes—Dr. Crane."

"Have you—has any one around here a telephone?"

"Mr. Wilcox." He pointed in the direction of the Wilcox's, whose telephone Roberta had so recently used.

"Just watch her. I'll be back."

Forthwith he was out of the house and away to call Crane or any other doctor, and then as swiftly returning with Mrs. Wilcox and her daughter. And then waiting, waiting, until first neighbors arrived and then eventually Dr. Crane, with whom he consulted as to the advisability of discussing with Mrs. Alden yet this day the unescapable mystery which had brought him here. And Dr. Crane, very much impressed by Mr. Mason's solemn, legal manner, admitting that it might even be best.

And at last Mrs. Alden treated with heroin and crooned and mourned over by all present, being brought to the stage where it was possible, slowly and with much encouragement, to hear in the first place what the extenuating circumstances were; next being questioned concerning the identity of the cryptic individual referred to in Roberta's letter. The only person whom Mrs. Alden could recall as ever having been mentioned by Roberta as paying particular attention to her, and that but once the Christmas before, was Clyde Griffiths, the nephew of the wealthy Samuel Griffiths, of Lycurgus, and the manager of the department in which Roberta worked.

But this in itself, as Mason and the Aldens themselves at once felt, was something which assuredly could not be taken to mean that the nephew of so great a man could be accused of the murder of Roberta. Wealth! Position! Indeed, in the face of such an accusation Mason was inclined to pause and consider. For the social difference between this man and this girl from his point of view seemed great. At that, it might be so. Why not? Was it not likely that a youth of such a secure position would possibly more than another, since she was so attractive as Heit had said, be the one to be paying casual and secret attention to a girl like Roberta? Did she not work in his uncle's factory? And was she not poor? Besides, as Fred Heit had already explained, whoever it was that this girl was with at the time of her death, she had not hesitated to cohabit with him before marriage. And was that not part and parcel of a rich and sophisticated youth's attitude toward a poor girl? By reason of his own early buffetings at the mood of chance and established prosperity the idea appealed to him intensely. The wretched rich! The indifferent rich! And here were her mother and father obviously believing most firmly in her innocence and virtue.

Further questioning of Mrs. Alden only brought out the fact that she had never seen this particular youth, and had never even heard of any other. The only additional data that either she or her husband could furnish was that during her last home-coming

of a month Roberta had not been feeling at all well—drooped about the house and rested a good deal. Also that she had written a number of letters which she had given to the postman or placed in the delivery box at the road-crossing below. Neither Mr. nor Mrs. Alden knew to whom they were addressed, although the postman would be likely to know, as Mason quickly thought. Also, during this period, she had been busy making some dresses, at least four. And during the latter part of her stay, she had been the recipient of a number of telephone calls—from a certain Mr. Baker, as Titus had heard Mr. Wilcox say. Also, on departing, she had taken only such baggage as she had brought with her—her small trunk and her bag. The trunk she had checked herself at the station, but just where, other than Lycurgus, Titus could not say.

But now, suddenly, since he was attaching considerable importance to the name Baker, there popped into Mason's mind: "Clifford Golden! Carl Graham! Clyde Griffiths!" and at once the identity of the initials as well as the related euphony of the names gave him pause. An astounding coincidence truly, if this same Clyde Griffiths had nothing to do with this crime! Immediately he was anxious to go direct to the mailman and question him.

But since Titus Alden was important not only as a witness in identifying Roberta's body and the contents of the suitcase left by her at Gun Lodge but also to persuade the postman to talk freely, he now asked him to dress and accompany him, assuring him that he would allow him to return to-morrow.

After cautioning Mrs. Alden to talk to no one in regard to this, he now proceeded to the post office to question the mailman. That individual when found, recalled, upon inquiry, and in the presence of Titus who stood like a galvanized corpse by the side of the district attorney, that not only had there been a few letters—no less than twelve or fifteen even—handed him by Roberta during her recent stay here, but that all of them had been addressed to some one in Lycurgus by the name of—let him see—Clyde Griffiths—no less—care of General Delivery there. Forthwith, the district attorney proceeded with him to a local notary's office where a deposition was made, after which he called his office, and learning that Roberta's body had been brought to Bridgeburg, he drove there with as much speed as he could attain. And once there and in the presence of the body along with Titus, Burton Burleigh, Heit and Earl Newcomb, he was able to decide for himself, even while Titus, half demented, gazed upon the features of his child, first that she

truly was Roberta Alden and next as to whether he considered her of the type who would wantonly yield herself to such a liaison as the registration at Grass Lake seemed to indicate. He decided he did not. This was a case of sly, evil seduction as well as murder. Oh, the scoundrel! And still at large. Almost the political value of all this was obscured by an angry social resentfulness against men of means in general.

But this particular contact with the dead, made at ten o'clock at night in the receiving parlors of the Lutz Brothers, Undertakers, and with Titus Alden falling on his knees by the side of his daughter and emotionally carrying her small, cold hands to his lips while he gazed feverishly and protestingly upon her waxy face, framed by her long brown hair, was scarcely such as to promise an unbiased or even legal opinion. The eyes of all those present were wet with tears.

And now Titus Alden injected a new and most dramatic note into the situation. For while the Lutz Brothers, with three of their friends who kept an automobile shop next door, Everett Beeker, the present representative of the Bridgeburg *Republican,* and Sam Tacksun, the editor and publisher of the *Democrat,* awesomely gazed over or between the heads of each other from without a side door which gave into the Lutzs' garage, he suddenly rose and moving wildly toward Mason, exclaimed: "I want you to find the scoundrel who did this, Mr. District Attorney. I want him to be made to suffer as this pure, good girl has been made to suffer. She's been murdered—that's all. No one but a murderer would take a girl out on a lake like that and strike her as any one can see she has been struck." He gestured toward his dead child. "I have no money to help prosecute a scoundrel like that. But I will work. I will sell my farm."

His voice broke and seemingly he was in danger of falling as he turned toward Roberta again. And now, Orville Mason, swept into this father's stricken and yet retaliatory mood, pressed forward to exclaim: "Come away, Mr. Alden. We know this is your daughter. I swear all you gentlemen as witnesses to this identification. And if it shall be proved that this little girl of yours was murdered, as it now seems, I promise you, Mr. Alden, faithfully and dutifully as the district attorney of this county, that no time or money or energy on my part will be spared to track down this scoundrel and hale him before the proper authorities! And if the justice of Cataraqui County is what I think it is, you can leave him to any jury which our local court will summon. And you won't need to sell your farm, either."

Mr. Mason, because of his deep, if easily aroused, emotion, as well as the presence of the thrilled audience, was in his most forceful as well as his very best oratorical mood.

And one of the Lutz Brothers—Ed—the recipient of all of the county coroner's business—was moved to exclaim: "That's the ticket, Orville. You're the kind of a district attorney we like." And Everett Beeker now called out: "Go to it, Mr. Mason. We're with you to a man when it comes to that." And Fred Heit, as well as his assistant, touched by Mason's dramatic stand, his very picturesque and even heroic appearance at the moment, now crowded closer, Heit to take his friend by the hand, Earl to exclaim: "More power to you, Mr. Mason. We'll do all we can, you bet. And don't forget that bag that she left at Gun Lodge is over at your office. I gave it to Burton two hours ago."

"That's right, too. I was almost forgetting that," exclaimed Mason, most calmly and practically at the moment, the previous burst of oratory and emotion having by now been somehow merged in his own mind with the exceptional burst of approval which up to this hour he had never experienced in any case with which previously he had been identified.

CHAPTER V

AS he proceeded to his office, accompanied by Alden and the officials in this case, his thought was running on the motive of this heinous crime—the motive. And because of his youthful sexual deprivations, his mind now tended continually to dwell on that. And meditating on the beauty and charm of Roberta, contrasted with her poverty and her strictly moral and religious upbringing, he was convinced that in all likelihood this man or boy, whoever he was, had seduced her and then later, finding himself growing tired of her, had finally chosen this way to get rid of her —this deceitful, alleged marriage trip to the lake. And at once he conceived an enormous personal hate for the man. The wretched rich! The idle rich! The wastrel and evil rich—a scion or representative of whom this young Clyde Griffiths was. If he could but catch him.

At the same time it now suddenly occurred to him that because of the peculiar circumstances attending this case—this girl cohabiting with this man in this way—she might be pregnant. And at once this suspicion was sufficient, not only to make him sexually curious in regard to all the details of the life and courtship that had led to this—but also very anxious to substantiate for himself whether his suspicions were true. Immediately he began to think of a suitable doctor to perform an autopsy—if not here, then in Utica or Albany—also of communicating to Heit his suspicions in the connection, and of having this, as well as the import of the blows upon her face, determined.

But in regard to the bag and its contents, which was the immediate matter before him, he was fortunate in finding one additional bit of evidence of the greatest importance. For, apart from the dresses and hats made by Roberta, her lingerie, a pair of red silk garters purchased at Braunstein's in Lycurgus and still in their original box, there was the toilet set presented by Clyde to her the Christmas before. And with it the small, plain white card, held in place by a portion of the gray silk lining of the case, on which Clyde had written: "For Bert from Clyde— Merry Xmas." But no family name. And the writing a hurried scrawl, since it had been written at a time when Clyde was most anxious to be elsewhere than with her.

At once it occurred to Mason—how odd that the presence of this toilet set in this bag, together with the card, should not have been known to the slayer. But if it were, and he had not removed the card, could it be possible that this same Clyde was the slayer? Would a man contemplating murder fail to see a card such as this, with his own handwriting on it? What sort of a plotter and killer would that be? Immediately afterward he thought: Supposing the presence of this card could be concealed until the day of the trial and then suddenly produced, assuming the criminal denied any intimacy with the girl, or having given her any toilet set? And for the present he took the card and put it in his pocket, but not before Earl Newcomb, looking at it carefully, had observed: "I'm not positive, Mr. Mason, but that looks to me like the writing on the register up at Big Bittern." And at once Mason replied: "Well, it won't take long to establish the fact."

He then signaled Heit to follow him into an adjoining chamber, where once alone with him, free from the observation and hearing of the others, he began: "Well, Fred, you see it was just as you thought. She did know who she was going with." (He was referring to his own advice over the telephone from Biltz that Mrs. Alden had provided him with definite information as to the criminal.) "But you couldn't guess in a thousand years unless I told you." He leaned over and looked at Heit shrewdly.

"I don't doubt it, Orville. I haven't the slightest idea."

"Well, you know of Griffiths & Company, of Lycurgus?"

"Not the collar people?"

"Yes, the collar people."

"Not the son." Fred Heit's eyes opened wider than they had in years. His wide, brown hand grasped the end of his beard.

"No, not the son. A nephew!"

"Nephew! Of Samuel Griffiths? Not truly!" The old, moral-religious-politic-commercial coroner stroked his beard again and stared.

"The fact seems to point that way, Fred, now at least. I'm going down there yet to-night, though, and I hope to know a lot more to-morrow. But this Alden girl—they're the poorest kind of farm people, you know—worked for Griffiths & Company in Lycurgus and this nephew, Clyde Griffiths, as I understand it, is in charge of the department in which she worked."

"Tst! Tst! Tst!" interjected the coroner

"She was home for a month—*sick*" (he emphasized the word) "just before she went on this trip last Tuesday. And during that time she wrote him at least ten letters, and maybe more. I

got that from the rural delivery man. I have his affidavit here." He tapped his coat. "All addressed to Clyde Griffiths in Lycurgus. I even have his house number. And the name of the family with whom she lived. I telephoned down there from Biltz. I'm going to take the old man with me to-night in case anything comes up that he might know about."

"Yes, yes, Orville. I understand. I see. But a Griffiths!" And once more he clucked with his tongue.

"But what I want to talk to you about is the inquest," now went on Mason quickly and sharply. "You know I've been thinking that it couldn't have been just because he didn't want to marry her that he wanted to kill her. That doesn't seem reasonable to me," and he added the majority of the thoughts that had caused him to conclude that Roberta was pregnant. And at once Heit agreed with him.

"Well, then that means an autopsy," Mason resumed. "As well as medical opinion as to the nature of those wounds. We'll have to know beyond a shadow of a doubt, Fred, and before that body is taken away from here, whether that girl was killed before she was thrown out of that boat, or just stunned and then thrown out, or the boat upset. That's very vital to the case, as you know. We'll never be able to do anything unless we're positive about those things. But what about the medical men around here? Do you think any of them will be able to do all these things in a shipshape way so that what they say will hold water in court?"

Mason was dubious. Already he was building his case.

"Well, as to that, Orville," Heit replied slowly, "I can't say exactly. You'd be a better judge, maybe, than I would. I've already asked Dr. Mitchell to step over to-morrow and take a look at her. Also Betts. But if there's any other doctor you'd rather have—Bavo or Lincoln of Coldwater—how about Bavo?"

"I'd rather have Webster, of Utica," went on Mason, "or Beemis, or both. Four or five opinions in a case like this won't be any too many."

And Heit, sensing the importance of the great responsibility now resting on him, added: "Well, I guess you're right, Orville. Maybe four or five would be better than one or two. That means, though, that the inquest will have to be postponed for a day or two more, till we get these men here."

"Quite right! Quite right," went on Mason, "but that will be a good thing, too, as long as I'm going down to Lycurgus to-night to see what I can find out. You never can tell. I may catch up with him. I hope so, anyhow, or if not that, then I

may come upon something that'll throw some extra light on this. For this is going to be a big thing, Fred. I can see that—the most difficult case that ever came my way, or yours, either,—and we can't be too careful as to how we move from now on. He's likely to be rich, you see, and if he is he'll fight. Besides there's that family down there to back him up."

He ran a nervous hand through his shock of hair, then added: "Well, that's all right too. The next thing to do is to get Beemis and Webster of Utica—better wire them to-night, eh, or call them up. And Sprull of Albany, and then, to keep peace in the family around here, perhaps we'd better have Lincoln and Betts over here. And maybe Bavo." He permitted himself the faintest shadow of a smile. "In the meantime, I'll be going along, Fred. Arrange to have them come up Monday or Tuesday, instead of to-morrow. I expect to be back by then and if so I can be with you. If you can, better get 'em up here, Monday—see—the quicker the better—and we'll see what we know by then."

He went to a drawer to secure some extra writs. And then into the outer room to explain to Alden the trip that was before him. And to have Burleigh call up his wife, to whom he explained the nature of his work and haste and that he might not be back before Monday.

And all the way down to Utica, which took three hours, as well as a wait of one hour before a train for Lycurgus could be secured, and an additional hour and twenty minutes on that train, which set them down at about seven, Orville Mason was busy extracting from the broken and gloomy Titus, as best he could, excerpts from his own as well as Roberta's humble past—her generosity, loyalty, virtue, sweetness of heart, and the places and conditions under which previously she had worked, and what she had received, and what she had done with the money—a humble story which he was quite able to appreciate.

Arriving at Lycurgus with Titus by his side, he made his way as quickly as possible to the Lycurgus House, where he took a room for the father in order that he might rest. And after that to the office of the local district attorney, from whom he must obtain authority to proceed, as well as an officer who would execute his will for him here. And then being supplied with a stalwart detective in plain clothes, he proceeded to Clyde's room in Taylor Street, hoping against hope that he might find him there. But Mrs. Peyton appearing and announcing that Clyde lived there but that at present he was absent (having gone the Tuesday before to visit friends at Twelfth Lake, she be-

lieved), he was rather painfully compelled to announce, first, that he was the district attorney of Cataraqui County, and, next, that because of certain suspicious circumstances in connection with the drowning of a girl in Big Bittern, with whom they had reason to believe that Clyde was at the time, they would now be compelled to have access to his room, a statement which so astonished Mrs. Peyton that she fell back, an expression of mixed amazement, horror, and unbelief overspreading her features.

"Not Mr. Clyde Griffiths! Oh, how ridiculous! Why, he's the nephew of Mr. Samuel Griffiths and very well known here. I'm sure they can tell you all about him at their residence, if you must know. But anything like—oh, impossible!" And she looked at both Mason and the local detective who was already displaying his official badge, as though she doubted both their honesty and authority.

At the same time, the detective, being all too familiar with such circumstances, had already placed himself beyond Mrs. Peyton at the foot of the stairs leading to the floor above. And Mason now drew from his pocket a writ of search, which he had been careful to secure.

"I am sorry, Madam, but I am compelled to ask you to show us his room. This is a search warrant and this officer is here at my direction." And at once struck by the futility of contending with the law, she now nervously indicated Clyde's room, feeling still that some insane and most unfair and insulting mistake was being made.

But the two having proceeded to Clyde's room, they began to look here and there. At once both noted one small and not very strong trunk, locked and standing in one corner, which Mr. Faunce, the detective, immediately began to lift to decide upon its weight and strength, while Mason began to examine each particular thing in the room—the contents of all drawers and boxes, as well as the pockets of all clothes. And in the chiffonier drawers, along with some discarded underwear and shirts and a few old invitations from the Trumbulls, Starks, Griffiths, and Harriets, he now found a memorandum sheet which Clyde had carried home from his desk and on which he had written: "Wednesday, Feb. 20th, dinner at Starks"—and below that, "Friday, 22nd, Trumbulls"—and this handwriting Mason at once compared with that on the card in his pocket, and being convinced by the similarity that he was in the room of the right man, he took the invitations and then looked toward the trunk which the detective was now contemplating.

"What about this, chief? Will you take it away or open it here?"

"I think," said Mason solemnly, "we'd better open that right here, Faunce. I'll send for it afterwards, but I want to see what's in it now." And at once the detective extracted from his pocket a heavy chisel, while he began looking around for a hammer.

"It isn't very strong," he said, "I think I can kick it open if you say so."

At this point, Mrs. Peyton, most astounded by these developments, and anxious to avoid any such rough procedure, exclaimed: "You can have a hammer if you wish, but why not wait and send for a key man? Why, I never heard of such a thing in all my life."

However, the detective having secured the hammer and jarred the lock loose, there lay revealed in a small top crate various unimportant odds and ends of Clyde's wardrobe—socks, collars, ties, a muffler, suspenders, a discarded sweater, a pair of not too good high-top winter shoes, a cigarette holder, a red lacquer ash tray, and a pair of skates. But in addition among these, in the corner in one compact bundle, the final fifteen letters of Roberta, written him from Biltz, together with a small picture of herself given him the year before, as well as another small bundle consisting of all the notes and invitations written him by Sondra up to the time she had departed for Pine Point. The letters written from there Clyde had taken with him—laid next his heart. And, even more incriminating, a third bundle, consisting of eleven letters from his mother, the first two addressed to Harry Tenet, care of general delivery, Chicago—a most suspicious circumstance on the surface—whereas the others of the bundle were addressed to Clyde Griffiths, not only care of the Union League, Chicago, but to Lycurgus.

Without waiting further to see what else the trunk might contain, the district attorney began opening these and reading—first three from Roberta, after which the reason she had gone to Biltz was made perfectly plain—then the three first letters from his mother, on most pathetically commonplace stationery, as he could see, hinting at the folly of the life as well as the nature of the accident that had driven him from Kansas City, and at the same time advising him most solicitously and tenderly as to the proper path for his feet in the future, the general effect of which was to convey to a man of Mason's repressed temperament and limited social experience the impression that from the

very beginning this individual had been of a loose, wayward and errant character.

At the same time, and to his surprise, he now learned that except for what his rich uncle might have done for him here, Clyde was obviously of a poor, as well as highly religious, branch of the Griffiths family, and while ordinarily this might have influenced him in Clyde's favor a little, still now, in view of the notes of Sondra, as well as the pathetic letters of Roberta and his mother's reference to some earlier crime in Kansas City, he was convinced that not only was Clyde of such a disposition as could plot such a crime but also one who could execute it in cold blood. That crime in Kansas City. He must wire the district attorney there for particulars.

And with this thought in mind, he now scanned more briefly but none the less sharply and critically the various notes or invitations or love messages from Sondra, all on heavily perfumed and monogrammed stationery, which grew more and more friendly and intimate as the correspondence progressed, until toward the last they invariably began: "Clydie-Mydie," or "Sweetest Black Eyes," or "My sweetest boy," and were signed "Sonda," or "Your own Sondra." And some of them dated so recently as May 10th, May 15th, May 26th, or up to the very time at which, as he instantly noted, Roberta's most doleful letters began to arrive.

It was all so plain, now. One secretly betrayed girl in the background while he had the effrontery to ingratiate himself into the affections of another, this time obviously one of much higher social position here.

Although fascinated and staggered by this interesting development, he at the same time realized that this was no hour in which to sit meditating. Far from it. This trunk must be transferred at once to his hotel. Later he must go forth to find out, if he could, exactly where this individual was, and arrange for his capture. And while he ordered the detective to call up the police department and arrange for the transfer of the trunk to his room at the Lycurgus House, he hurried next to the residence of Samuel Griffiths, only to learn that no member of the family was then in the city. They were all at Greenwood Lake. But a telephone message to that place brought the information that in so far as they knew, this same Clyde Griffiths, their nephew, was at the Cranston lodge on Twelfth Lake, near Sharon, adjoining the Finchley lodge. The name Finchley, together with the town of Sharon, being already identified in Mason's mind with Clyde, he at once decided that if he were still anywhere in this

region, he would be there—at the summer home perhaps of this girl who had written him the various notes and invitations he had seen—this Sondra Finchley. Also had not the captain of the "Cygnus" declared that he had seen the youth who had come down from Three Mile Bay debark there? Eureka! He had him!

And at once, after meditating sharply on the wisdom of his course, he decided to proceed to Sharon and Pine Point himself. But in the meantime being furnished with an accurate description of Clyde, he now furnished this as well as the fact that he was wanted for murder, not only to the district attorney and the chief of police of Lycurgus, but to Newton Slack, the sheriff at Bridgeburg, as well as to Heit and his own assistant, urging all three to proceed at once to Sharon, where he would meet them.

At the same time, speaking as though for Mrs. Peyton, he now called upon the long distance telephone the Cranston lodge at Pine Point, and getting the butler on the wire, inquired whether Mr. Clyde Griffiths chanced to be there. "Yes, sir, he is, sir, but he's not here now, sir. I think he's on a camping party farther up the lake, sir. Any message, sir?" And in response to further inquiries, he replied that he could not say exactly—a party had gone, presumably, to Bear Lake some thirty miles farther up, but when it would return he could not say—not likely before a day or two. But distinctly this same Clyde was with that party.

And at once Mason recalled the sheriff at Bridgeburg, instructing him to take four or five deputies with him so that the searching party might divide at Sharon and seize this same Clyde wherever he chanced to be. And throw him in jail at Bridgeburg, where he could explain, with all due process of law, the startling circumstances that thus far seemed to unescapably point to him as the murderer of Roberta Alden.

CHAPTER VI

IN the interim the mental state of Clyde since that hour when, the water closing over Roberta, he had made his way to the shore, and then, after changing his clothes, had subsequently arrived at Sharon and the lakeside lodge of the Cranstons, was almost one of complete mental derangement, mainly caused by fear and confusion in his own mind as to whether he did or did not bring about her untimely end. At the same time at the lakeside the realization that if by any chance he were then and there found, skulking south rather than returning north to the inn at Big Bittern to report this seeming accident, there would be sufficient hardness and cruelty to the look of it all to convince any one that a charge of murder should be made against him, had fiercely tortured him. For, as he now saw it, he really was not guilty—was he, since at the last moment he had experienced that change of heart?

But who was going to believe that now, since he did not go back to explain? And it would never do to go back now! For if Sondra should hear that he had been on this lake with this factory girl—that he had registered with her as husband and wife . . . God!

And then trying to explain to his uncle afterwards, or his cold, hard cousin—or all those smart, cynical Lycurgus people! No! No! Having gone so far he must go on. Disaster—if not death—lay in the opposite direction. He would have to make the best of this terrible situation—make the best of this plan that had ended so strangely and somewhat exculpatorily for him.

And yet these woods! This approaching night. The eerie loneliness and danger of it all now. How now to do, what to say, if met by any one. He was so confused—mentally and nervously sick. The crackle of a twig and he leaped forward as a hare.

And in this state, it was that after having recovered his bag and changed his clothes, wringing out his wet suit and attempting to dry it, then packing it in his bag under some dry twigs and pine-needles and burying the tripod beneath a rotting log, that he plunged into the woods after night had fallen. Yet meditating more and more on his very strange and perilous position. For

supposing, just as he had unintentionally struck at her, and they had fallen into the water and she uttered those piercing and appealing cries, there had been some one on the shore—some one watching—one of those strong, hardy men whom he had seen loitering about during the day and who might even at this moment be sounding a local alarm that would bring a score of such men to the work of hunting for him this very night! A man hunt! And they would take him back and no one would ever believe that he had not intentionally struck her! They might even lynch him before he could so much as secure a fair trial. It was possible. It had been done. A rope around his neck. Or shot down in these woods, maybe. And without an opportunity to explain how it had all come about—how harried and tortured he had been by her for so long. They would never understand that.

And so thinking he hurried faster and faster—as fast as strong and serried and brambly young firs and dead branches that cracked most ominously at times would permit, thinking always as he went that the road to Three Mile Bay must be to his right hand, the moon to his left when it should rise.

But, God, what was that?

Oh, that terrible sound!

Like a whimpering, screeching spirit in this dark!

There!

What was it?

He dropped his bag and in a cold sweat sunk down, crouching behind a tall, thick tree, rigid and motionless with fear.

That sound!

But only a screech-owl! He had heard it several weeks before at the Cranston lodge. But here! In this wood! This dark! He must be getting on and out of here. There was no doubt of that. He must not be thinking such horrible, fearful thoughts, or he would not be able to keep up his strength or courage at all.

But that look in the eyes of Roberta! That last appealing look! God! He could not keep from seeing it! Her mournful, terrible screams! Could he not cease from hearing them—until he got out of here anyhow?

Had she understood, when he struck her, that it was not intentional—a mere gesture of anger and protest? Did she know that *now,* wherever she was—in the bottom of the lake—or here in the dark of these woods beside him, mayhap? Ghosts! Hers. But he must get out of this—out of this! He must—and yet the safety of these woods, too. He must not be too brash in stepping out into any road, either. Pedestrians! People in search of him, maybe! But did people really live after death?

Were there ghosts? And did they know the truth? Then she must know—but how he plotted before that, too. And what would she think of that! And was she here now reproachfully and gloomily pursuing him with mistaken accusations, as true as it might be that he had intended to kill her at first? He had! He had! And that was the great sin, of course. Even though he had not killed her, yet something had done it for him! That was true.

But ghosts—God—spirits that might pursue you after they were dead, seeking to expose and punish you—seeking to set people on your track, maybe! Who could tell? His mother had confessed to him and Frank and Esta and Julia that she believed in ghosts.

And then at last the moon, after three such hours of stumbling, listening, waiting, perspiring, trembling. No one in sight now, thank God! And the stars overhead—bright and yet soft, as at Pine Point where Sondra was. If she could see him now, slipping away from Roberta dead in that lake, his own hat upon the waters there! If she could have heard Roberta's cries! How strange that never, never, never would he be able to tell her that because of her, her beauty, his passion for her and all that she had come to mean to him, he had been able to . . . to . . . to . . . well, *attempt* this terrible thing—kill a girl whom once he had loved. And all his life he would have this with him, now,—this thought! He would never be able to shake it off—never, never, never. And he had not thought of that, before. It was a terrible thing in its way, just that, wasn't it?

But then suddenly there in the dark, at about eleven o'clock, as he afterwards guessed, the water having stopped his watch, and after he had reached the highroad to the west—and walked a mile or two,—those three men, quick, like ghosts coming out of the shadow of the woods. He thought at first that having seen him at the moment he had struck Roberta or the moment afterward, they had now come to take him. The sweating horror of that moment! And that boy who had held up the light the better to see his face. And no doubt he had evinced most suspicious fear and perturbation, since at the moment he was most deeply brooding on all that had happened, terrorized really by the thought that somehow, in some way, he had left some clue that might lead directly to him. And he did jump back, feeling that these were men sent to seize him. But at that moment, the foremost, a tall, bony man, without appearing to be more than amused at his obvious cowardice, had called, "Howdy, stranger!" while the youngest, without appearing to be suspicious at all, had stepped forward and then turned up the

light. And it was then that he had begun to understand that they were just countrymen or guides—not a posse in pursuit of him—and that if he were calm and civil they would have no least suspicion that he was the murderer that he was.

But afterward he had said to himself—"But they will remember me, walking along this lonely road at this hour with this bag, won't they?" And so at once he had decided that he must hurry—hurry—and not be seen by any others anywhere there.

Then, hours later and just as the moon was lowering toward the west, a sickly yellow pallor overspreading the woods and making the night even more wretched and wearisome, he had come to Three Mile Bay itself—a small collection of native and summer cottages nestling at the northernmost end of what was known as the Indian Chain. And in it, as he could see from a bend in the road, a few pale lights still twinkling. Stores. Houses. Street lamps. But all dim in the pale light—so dim and eerie to him. One thing was plain—at this hour and dressed as he was and with his bag in hand, he could not enter there. That would be to fix curiosity as well as suspicion on him, assuredly, if any one was still about. And as the launch that ran between this place and Sharon, from whence he would proceed to Pine Point, did not leave until eight-thirty, he must hide away in the meantime and make himself as presentable as possible.

And accordingly re-entering a thicket of pines that descended to the very borders of the town, there to wait until morning, being able to tell by a small clock-face which showed upon the sides of a small church tower, when the hour for emerging had arrived. But, in the interim debating,—"Was it wise so to do?" For who might not be here to wait for him? Those three men—or some one else who might have seen?—Or an officer, notified from somewhere else. Yet deciding after a time that it was best to go just the same. For to stalk along in the woods west of this lake—and by night rather than day—seeing that by day he might be seen, and when by taking this boat he could reach in an hour and a half—or two hours at the most—the Cranston lodge at Sharon, whereas by walking he would not arrive until to-morrow,—was not that unwise, more dangerous? Besides, he had promised Sondra and Bertine that he would be there Tuesday. And here it was Friday! Again, by to-morrow, might not a hue and cry be on—his description sent here and there—whereas this morning—well, how could Roberta have been found as yet? No, no. Better this way. For who knew him here—or could identify him as yet with either Carl Graham or Clifford Golden. Best go this way,—speedily, before anything else in connection with her developed. Yes, yes. And finally, the

clock-hands pointing to eight-ten, making his way out, his heart beating heavily as he did so.

At the foot of this street was the launch which steamed from here to Sharon. And as he loitered he observed the bus from Raquette Lake approaching. It now occurred to him, if he encountered any one he knew on the steamer dock or boat, could he not say that he was fresh from Raquette Lake, where Sondra, as well as Bertine, had many friends, or in case they themselves came down on the boat, that he had been there the day before. What matter whose name or lodge he mentioned—an invented one, if need be.

And so, at last, making his way to the boat and boarding it. And later at Sharon, leaving it again and without, as he thought, appearing to attract any particular attention at either end. For, although there were some eleven passengers, all strangers to him, still no one other than a young country girl in a blue dress and a white straw hat, whom he guessed to be from this vicinity, appeared to pay any particular attention to him. And her glances were admiring rather than otherwise, although sufficient, because of his keen desire for secrecy, to cause him to retire to the rear of the boat, whereas the others appeared to prefer the forward deck. And once at Sharon, knowing that the majority were making for the railway station to catch the first morning train down, he followed briskly in their wake, only to turn into the nearest lunch-room in order to break the trail, as he hoped. For although he had walked the long distance from Big Bittern to Three Mile Bay, and previously had rowed all afternoon, and merely made a pretense of eating the lunch which Roberta had prepared at Grass Lake, still even now he was not hungry. Then seeing a few passengers approaching from the station, yet none whom he knew, he joined these again as though just coming to the inn and launch from the train.

For at this time there had come to him the thought that this south train from Albany, as well as Utica being due here at this hour, it was only natural that he should seem to come on that. Pretending first, therefore, to be going to the station, yet stopping en route to telephone Bertine and Sondra that he was here, and being assured that a car rather than a launch would be sent for him, he explained that he would be waiting on the west veranda of the inn. En route also he stopped at a news stand for a morning paper, although he knew there could be nothing in it as yet. And he had barely crossed to the veranda of the inn and seated himself before the Cranston car approached.

And in response to the greeting of the Cranston family

chauffeur, whom he knew well, and who smiled most welcomingly, he was now able to achieve a seemingly easy and genial smile, though still inwardly troubled by his great dread. For no doubt by now, as he persistently argued with himself, the three men whom he had met had reached Big Bittern. And by now both Roberta and he must assuredly have been missed, and maybe, who knows, the upturned boat with his hat and her veil discovered! If so, might they not have already reported that they had seen such a man as himself, carrying a bag, and making his way to the south in the night? And, if so, would not that, regardless of whether the body was found or not, cause them to become dubious as to whether a double drowning had occurred? And supposing by some strange chance her body should come to the surface? Then what? And might there not be a mark left by that hard blow he had given her? If so, would they not suspect murder, and his body not coming up and those men describing the man they had seen, would not Clifford Golden or Carl Graham be suspected of murder?

But neither Clifford Golden nor Carl Graham were Clyde Griffiths by any means. And they could not possibly identify Clyde Griffiths—with either Clifford Golden or Carl Graham. For had he not taken every precaution, even searching through Roberta's bag and purse there at Grass Lake while at his request after breakfast she had gone back to see about the lunch? Had he not? True, he had found those two letters from that girl, Theresa Bouser, addressed to Roberta at Biltz, and he had destroyed them before ever leaving for Gun Lodge. And as for that toilet set in its original case, with the label "Whitely-Lycurgus" on it, while it was true that he had been compelled to leave that, still might not any one—Mrs. Clifford Golden, or Mrs. Carl Graham—have bought that in Whitely's, and so without the possibility of its being traced to him? Assuredly. And as for her clothes, even assuming that they did go to prove her identity, would it not be assumed, by her parents as well as others, that she had gone on this trip with a strange man by the name of Golden or Graham, and would they not want that hushed up without further ado? At any rate, he would hope for the best—keep up his nerve, put on a strong, pleasant, cheerful front here, so that no one would think of him as the one, since he had not actually killed her, anyhow.

Here he was in this fine car. And Sondra, as well as Bertine, waiting for him. He would have to say that he was just up from Albany—had been on some errand over there for his uncle which had taken all of his time since Tuesday. And while he

should be blissfully happy with Sondra, still here were all of those dreadful things of which now all of the time he would be compelled to think. The danger that in some inadvertent way he had not quite covered all the tracks that might lead to him. And if he had not! Exposure! Arrest! Perhaps a hasty and unjust conviction—punishment, even! Unless he was able to explain about that accidental blow. The end of all his dreams in connection with Sondra—Lycurgus—the great life that he had hoped for himself. But could he explain as to that? Could he? God!

CHAPTER VII

FROM Friday morning until the following Tuesday noon, moving amid such scenes as previously had so exhilarated and enthralled him, Clyde was now compelled to suffer the most frightful fears and dreads. For, although met by Sondra, as well as Bertine, at the door of the Cranston lodge, and shown by them to the room he was to occupy, he could not help but contrast every present delight here with the danger of his immediate and complete destruction.

As he had entered, Sondra had poutingly whispered, so that Bertine might not hear: "Baddie! Staying down there a whole week when you might have been up here. And Sondra planning everything for you! You ought to have a good spanking. I was going to call up to-day to see where you were." Yet at the same time her eyes conveying the infatuation that now dominated her.

And he, in spite of his troubled thoughts achieving a gay smile,—for once in her presence even the terror of Roberta's death, his own present danger appeared to dwindle. If only all went well, now,—nothing were traced to him! A clear path! A marvelous future! Her beauty! Her love! Her wealth. And yet, after being ushered to his room, his bag having been carried in before him, at once becoming nervous as to the suit. It was damp and wrinkled. He must hide it on one of the upper shelves of a closet, maybe. And the moment he was alone and the door locked, taking it out, wet and wrinkled, the mud of the shores of Big Bittern still about the legs—yet deciding perhaps not—perhaps he had better keep it locked in his bag until night when he could better decide what to do. Yet tying up in a single bundle, in order to have them laundered, other odds and ends he had worn that day. And, as he did so, terribly, sickeningly conscious of the mystery and drama as well as the pathos of his life—all he had contacted since his arrival in the east, how little he had in his youth. How little he had now, really. The spaciousness and grandeur of this room as contrasted with the one he occupied in Lycurgus. The strangeness of his being here at all after yesterday. The blue

waters of this bright lake without as contrasted with the darker ones of Big Bittern. And on the green-sward that reached from this bright, strong, rambling house, with its wide veranda and striped awnings to the shore of the lake itself, Stuart Finchley and Violet Taylor, together with Frank Harriet and Wynette Phant, in the smartest of sport clothes, playing tennis, while Bertine and Harley Baggott lolled in the shade of a striped marquee swing.

And, he himself, after bathing and dressing, assuming a jocular air although his nerves remained tense and his mood apprehensive. And then descending to where Sondra and Burchard Taylor and Jill Trumbull were laughing over some amusing experiences in connection with motor-boating the day before. Jill Trumbull called to him as he came out: "Hello, Clyde! Been playing hookey or what? I haven't seen you in I don't know when." And he, after smiling wistfully at Sondra, craving as never before her sympathy as well as her affection, drawing himself up on the railing of the veranda and replying, as smoothly as he could: "Been working over at Albany since Tuesday. Hot down there. It's certainly fine to be up here to-day. Who's all up?" And Jill Trumbull, smiling: "Oh, nearly every one, I guess. I saw Vanda over at the Randalls' yesterday. And Scott wrote Bertine he was coming to the Point next Tuesday. It looks to me as though no one was going over to Greenwood much this year." And then a long and intense discussion as to why Greenwood was no longer what it had been. And then Sondra exclaiming: "That reminds me! I have to phone Bella to-day. She promised to come up to that horse show over at Bristol week after next, sure." And then more talk of horses and dogs. And Clyde, listening intently in his anxiety to seem an integral part of it all, yet brooding on all that so desperately concerned him. Those three men. Roberta. Maybe they had found her body by now—who could tell, yet saying to himself—why so fearsome? Was it likely that in that depth of water—fifty feet maybe, for all he knew—that they would find her? Or that they could ever identify him with Clifford Golden or Carl Graham? How could they? Hadn't he really and truly covered his tracks except for those three men? *Those three men!* He shivered, as with cold, in spite of himself.

And then Sondra, sensing a note of depression about him. (She had determined from his obvious lack of equipment on his first visit that perhaps the want of money was at the bottom of his present mood, and so proposed later this day to extract seventy-five dollars from her purse and force that upon him in order

that at no point where petty expenditures should be required, should he feel the least bit embarrassed during his stay this time.) And after a few moments, thinking of the short golf course, with its variety of concealing hazards for unseen kisses and embraces, she now jumped up with: "Who's for a mixed foursome? Come on, Jill, Clyde, Burch! I'll bet Clyde and I can turn in a lower card than you two can!"

"I'll take that!" exclaimed Burchard Taylor, rising and straightening his yellow and blue striped sweater, "even if I didn't get in until four this morning. How about you, Jilly? If you want to make that for the lunches, Sonny, I'll take it."

And at once Clyde wincing and chilling, for he was thinking of the miserable twenty-five dollars left him from all his recent ghastly adventures. And a lunch for four here would cost not less than eight or ten dollars! Perhaps more. At the same time, Sondra, noting his expression, exclaimed: "That's a go!" and drawing near to Clyde tapped him gently with her toe, exclaiming: "But I have to change. I'll be right down. In the meantime, Clyde, I'll tell you what you do—go and find Andrew and tell him to get the clubs, will you? We can go over in your boat, can't we, Burchy?" And Clyde, hurrying to find Andrew, and thinking of the probable cost of the lunch if he and Sondra were defeated, but being caught up with by Sondra and seized by the arm. "Wait a minute, honey, I'll be right back." Then dashing up the steps to her room, and in a moment down again, a handful of bills she had reserved shut tightly in her little fist: "Here, darling, quick!" she whispered, taking hold of one of Clyde's coat pockets and putting the money into it. "Ssh! Not a word, now! Hurry! It's to pay for the lunch in case we lose, and some other things. I'll tell you afterwards. Oh, but I do love you, baby boy!" And then, her warm, brown eyes fixed on him for a moment in profound admiration, dashing up the stairs again, from where she called: "Don't stand there, silly! Get the golf clubs! The golf clubs!" And she was gone.

And Clyde, feeling his pocket and realizing that she had given him much—plenty, no doubt, for all of his needs while here, as well as to escape if need be. And exclaiming to himself: "Darling!" "Baby girl!" His beautiful, warm, generous Sondra! She loved him so—truly loved him. But if ever she should find out! Oh, God! And yet all for her, if she only knew. All for her! And then finding Andrew and returning with him carrying the bags.

And here was Sondra again, dancing down in a smart green knitted sports costume. And Jill in a new cap and blouse which

made her look like a jockey, laughing at Burchard who was at the wheel of the boat. And Sondra calling back to Bertine and Harley Baggott in the swing as she was passing: "Hey, fellows! You won't come, eh?"

"Where?"

"Casino Golf Club."

"Oh, too far. See you after lunch on the beach, though."

And then Burchard shooting the boat out in the lake with a whir that set it bounding like a porpoise—and Clyde gazing half in a dream, half delight and hope and the other half a cloud of shadow and terror, with arrest and death, maybe, stalking close behind. For in spite of all his preliminary planning, he was beginning to feel that he had made a mistake in openly coming out of the wood this morning. And yet had it not been best, since the only alternative was that of remaining there by day and coming out at night and following the shore road on foot to Sharon? That would have required two or three days. And Sondra, anxious as well as curious about the delay, might have telephoned to Lycurgus, thereby raising some question in regard to him which might have proved dangerous later might it not?

But here now, this bright day, with seemingly no cares of any kind, for these others at least, however dark and bleak his own background might be. And Sondra, all gayety because of his presence, now jumping up, her bright scarf held aloft in one hand like a pennant, and exclaiming foolishly and gayly: "Cleopatra sailing to meet—to meet—who was it she was sailing to meet, anyhow?"

"Charlie Chaplin," volunteered Taylor, at the same time proceeding to ricochet the boat as roughly and erratically as possible in order to make her lose her balance.

"Oh, you silly!" returned Sondra, spreading her feet sufficiently apart to maintain her equilibrium, and adding for the benefit of Burchard: "No, you don't either, Burchy," then continuing: "Cleopatra sailing, a-a-oh, I know, aquaplaning," and throwing her head back and her arms wide, while the boat continued to jump and lurch like a frightened horse.

"See if you can upset me now, Burchy," she called.

And Buchard, throwing the boat from side to side as swiftly as he dared, with Jill Trumbull, anxious for her own safety, calling: "Oh, say, what do you want to do? Drown us all?" at which Clyde winced and blanched as though struck.

At once he felt sick, weak. He had never imagined that it was going to be like this; that he was going to suffer so. He

had imagined that it was all going to be different. And yet here he was, blanching at every accidental and unintended word! Why, if he were put to any real test—an officer descending on him unexpectedly and asking him where he had been yesterday and what he knew of Roberta's death—why, he would mumble, shiver, not be able to talk, maybe—and so give his whole case away wouldn't he! He must brace up, try to look natural, happy —mustn't he—for this first day at least.

Fortunately in the speed and excitement of the play, the others seemed not to notice the startling effect of the remark upon him, and he managed by degrees to recover his outward composure. Then the launch approached the Casino and Sondra, wishing to execute some last showy stunt, jumped up and catching the rail pulled herself up, while the boat rolled past only to reverse later. And Clyde, because of a happy smile in his direction, was seized by an uncontrollable desire for her—her love, sympathy, generosity, courage. And so now, to match her smiles, he jumped up and after assisting Jill to the steps, quickly climbed up after her, pretending a gayety and enthusiasm that was as hollow inwardly as outwardly it was accurate.

"Gee! Some athlete you are!"

And then on the links a little later with her, and under her guidance and direction, playing as successful a game as it was possible with his little experience and as troubled as he was. And she, because of the great delight of having him all to herself in shadowy hazards where they might kiss and embrace, beginning to tell him of a proposed camping trip which she, Frank Harriet, Wynette Phant, Burchard Taylor, her brother Stuart, Grant Cranston and Bertine, as well as Harley Baggott, Perly Hayes, Jill Trumbull and Violet Taylor, had been organizing for a week, and which was to begin on the morrow afternoon, with a motor trip thirty miles up the lake and then forty miles east to a lake known as Bear, along which, with tents and equipment, they were to canoe to certain beaches and scenes known only to Harley and Frank. Different days, different points. The boys would kill squirrels and catch fish for food. Also there would be moonlight trips to an inn that could be reached by boat, so they said. A servant or two or three from different homes was to accompany them, as well as a chaperon or two. But, oh, the walks in the woods! The opportunities for love—canoe trips on the lake—hours of uninterrupted love-making for at least a week!

In spite of all that had occurred thus far to give him pause, he could not help thinking that whatever happened, was it not best to go? How wonderful to have her love him so! And

what else here could he do? It would take him out of this, would it not—farther and farther from the scene of the—of the —accident and in case any one were looking for any one who looked like him, for instance—well, he would not be around where he could be seen and commented upon. *Those three men.*

Yet, as it now instantly occurred to him, under no circumstances must he leave here without first finding out as definitely as possible whether any one was as yet suspected. And once at the Casino, and for the moment left alone, he learned on inquiring at the news stand that there would be no Albany, Utica, or any local afternoon paper here until seven or seven-thirty. He must wait until then to know.

And so although after the lunch there was swimming and dancing, then a return to the Cranstons with Harley Baggott and Bertine—Sondra going to Pine Point, with an agreement to meet him afterwards at the Harriets for dinner—still his mind was on the business of getting these papers at the first possible opportunity. Yet unless, as he now saw, he was so fortunate as to be able to stop on his way from the Cranstons' to the Harriets' and so obtain one or all, he must manage to come over to this Casino in the morning before leaving for Bear Lake. He must have them. He must know what, if anything, was either being said or done so far in regard to that drowned couple.

But on his way to Harriets' he was not able to get the papers. They had not come. And none at the Harriets' either, when he first arrived. Yet sitting on the veranda about a half hour later, talking with the others although brooding as to all this, Sondra herself appeared and said: "Oh, say, people! I've got something to tell you. Two people were drowned this morning or yesterday up at Big Bittern, so Blanche Locke was telling me just now over the phone. She's up at Three Mile Bay to-day and she says they've found the body of the girl but not the man yet. They were drowned in the south part of the lake somewhere, she said."

At once Clyde sat up, rigid and white, his lips a bloodless line, his eyes fixed not on anything here but rather the distant scene at Big Bittern—the tall pines, the dark water closing over Roberta. Then they had found her body. And now would they believe that his body was down there, too, as he had planned? But, listen! He must hear in spite of his dizziness.

"Gee, that's tough!" observed Burchard Taylor, stopping his strumming on a mandolin. "Anybody we know?"

"She says she didn't hear yet."

"I never did like that lake," put in Frank Harriet. "It's too

lonely. Dad and I and Mr. Randall were up there fishing last summer, but we didn't stay long. It's too gloomy."

"We were up there three weeks ago—don't you remember, Sondra?" added Harley Baggott. "You didn't care for it."

"Yes, I remember," replied Sondra. "A dreadfully lonely place. I can't imagine any one wanting to go up there for anything."

"Well, I only hope it isn't any one we know from around here," added Burchard, thoughtfully. "It would put a crimp in the fun around here for a while, anyhow."

And Clyde unconsciously wet his dry lips with his tongue and swallowed to moisten his already dry throat.

"I don't suppose any of to-day's papers would have anything about it yet. Has any one looked?" inquired Wynette Phant, who had not heard Sondra's opening remark.

"There ain't no papers," commented Burchard Taylor. "Besides, it's not likely yet, didn't Sondra say she just heard it from Blanche Locke over the phone? She's up near there."

"Oh, yes, that's right."

And yet might not that small local afternoon paper of Sharon —*The Banner,* wasn't it—have something as to this? If only he could see it yet to-night!

But another thought! For Heaven's sake! It came to him now for the first time. His footprints! Were there any in the mud of that shore? He had not even stopped to look, climbing out so hastily as he did. And might there not have been? And then would they not know and proceed to follow him—the man those three men saw? Clifford Golden! That ride down this morning. His going out to the Cranstons' in their car. That wet suit over in the room at the Cranstons'! Had any one in his absence been in his room as yet to look, examine, inquire—open his bag, maybe? An officer? God! It was there in his bag. But why in his bag or anywhere else near him now? Why had he not hidden it before this—thrown it in the lake here, maybe, with a stone in it? That would keep it down. God! What was he thinking in the face of such a desperate situation as this? Supposing he did need the suit!

He was now up, standing—mentally and physically frozen really—his eyes touched with a stony glaze for the moment. He must get out of here. He must go back there, at once, and dispose of that suit—drop it in the lake—hide it somewhere in those woods beyond the house! And yet—he could not do that so swiftly, either—leave so instantly after this light conversation about the drowning of those two people. How would that look?

And as instantly there came the thought—no—be calm—show no trace of excitement of any kind, if you can manage it—appear cool—make some unimportant remark, if you can.

And so now, mustering what nervous strength he had, and drawing near to Sondra, he said: "Too bad, eh?" Yet in a voice that for all its thinly-achieved normality was on the borderline of shaking and trembling. His knees and his hands, also.

"Yes, it certainly is," replied Sondra, turning to him alone now. "I always hate to hear of anything like that, don't you? Mother worries so about Stuart and me fooling around these lakes as it is."

"Yes, I know." His voice was thick and heavy. He could scarcely form the words. They were smothered, choked. His lips tightened to a thinner white line than before. His face grew paler still.

"Why, what's the matter, Clydie?" Sondra asked, of a sudden, looking at him more closely. "You look so pale! Your eyes. Anything wrong? Aren't you feeling well to-night, or is it this light out here?"

She turned to look at some of the others in order to make sure, then back at him. And he, feeling the extreme importance of looking anything but the way she was describing him, now drew himself up as best he could, and replied: "Oh, no. It must be the light, I guess. Sure, it's the light. I had a—a—hard day yesterday, that's all. I shouldn't have come over to-night, I suppose." And then achieving the weirdest and most impossible of smiles. And Sondra, gazing most sympathetically, adding: "Was he so tired? My Clydie-mydie boy, after his work yesterday. Why didn't my baby boy tell me that this morning instead of doing all that we did to-day? Want me to get Frank to run you down to the Cranstons' now? Or maybe you'd like to go up in his room and lie down? He won't mind, I know. Shall I ask him?"

She turned as if to speak to Frank, but Clyde, all but panic-stricken by this latest suggestion, and yet angling for an excuse to leave, exclaimed earnestly and yet shakily: "Please, please don't, darling. I—I—don't want you to. I'll be all right. I'll go up after a bit if I want to, or maybe home a little early, if you're going after a while, but not now. I'm not feeling as good as I should, but I'll be all right."

Sondra, because of his strained and as she now fancied almost peevish tone, desisted with: "All right, honey. All right. But if you don't feel well, I wish you would let me get Frank to take you down or go upstairs. He won't mind. And then after

a while—about ten-thirty—I'll excuse myself and you can go down with me to your place. I'll take you there before I go home and whoever else wants to go. Won't my baby boy do something like that?"

And Clyde saying: "Well, I think I'll go up and get a drink, anyhow." And disappearing in one of the spacious baths of the Harriet home, locking the door and sitting down and thinking, thinking—of Roberta's body recovered, of the possibilities of a bruise of some kind, of the possibility of the print of his own feet in the mud and sandy loam of the shore; of that suit over at the Cranstons', the men in the wood, Roberta's bag, hat and coat, his own liningless hat left on the water—and wondering what next to do. How to act! How to talk! Whether to go downstairs to Sondra now and persuade her to go, or whether to stay and suffer and agonize? And what would the morrow's papers reveal? What? What? And was it wise, in case there was any news which would make it look as though eventually he was to be sought after, or in any way connected with this, to go on that proposed camping trip to-morrow! Or, wiser, to run away from here? He had some money now. He could go to New York, Boston, New Orleans where Ratterer was—but oh, no,—not where any one knew him.

Oh, God! The folly of all his planning in connection with all this to date! The flaws! Had he ever really planned it right from the start? Had he ever really imagined, for instance, that Roberta's body would be found in that deep water? And yet, here it was—risen so soon—this first day—to testify against him! And although he had signed as he had on those registers up there, was it not possible now, on account of those three men and that girl on that boat, for him to be traced? He must think, think, think! And get out of here as soon as possible, before anything really fatal in connection with that suit should happen.

Growing momentarily weaker and more terrorized, he now decided to return to Sondra below, and say that he was really feeling quite sick and that if she did not object he would prefer to go home with her, if she could arrange it. And consequently, at ten-thirty, when the evening still had hours to go, Sondra announced to Burchard that she was not feeling well and would he run her and Clyde and Jill down to her place, but that she would see them all on the morrow in time for the proposed departure for Bear Lake.

And Clyde, though brooding as to whether this early leaving on his part was not another of those wretched errors which had

seemed to mark every step of this desperate and murderous scheme so far, finally entering the swift launch and being raced to the Cranston lodge in no time. And once there, excusing himself to Burchard and Sondra as nonchalantly and apologetically as might be, and then hurrying to his own room only to find the suit as he had left it—no least evidence that any one had been there to disturb the serenity of his chamber. Just the same, nervously and suspiciously, he now took it out and tied it up, and then waiting and listening for a silent moment in which to slip from the house unobserved—finally ambled out as though going for a short walk. And then, by the shore of the lake—about a quarter of a mile distant from the house—seeking out a heavy stone and tying the suit to that. And then throwing it out into the water, as far as his strength would permit. And then returning, as silently and gloomily and nervously as he had gone, and brooding and brooding as to what the morrow might reveal and what, if any one appeared to question him, he would say.

CHAPTER VIII

THE morrow dawned after an all but sleepless night, harrowed by the most torturesome dreams in regard to Roberta, men who arrived to arrest him, and the like, until at last he arose, his nerves and eyes aching. Then, venturing to come downstairs about an hour later, he saw Frederick, the chauffeur who had driven him out the day before, getting one of the cars out. And thereupon instructing him to bring all the morning Albany and Utica papers. And about nine thirty, when he returned, proceeding to his room with them, where, locking the door and spreading one of the papers before him, he was immediately confronted by the startling headlines:

"MYSTERY IN GIRL'S DEATH
BODY FOUND YESTERDAY IN ADIRONDACK LAKE
MAN COMPANION MISSING"

And at once strained and white he sat down in one of the chairs near the window and began to read:

"Bridgeburg, N. Y., July 9.—The body of an unknown girl, presumably the wife of a young man who registered first on Wednesday morning at Grass Lake Inn, Grass Lake, N. Y., as Carl Graham and wife, and later, Thursday noon, at Big Bittern Lodge, Big Bittern, as Clifford Golden and wife was taken from the waters of the south end of Big Bittern just before noon yesterday. Because of an upturned boat, as well as a man's straw hat found floating on the water in Moon Cove, dredging with hooks and lines had been going on all morning. . . . Up to seven o'clock last evening, however, the body of the man had not as yet been recovered, and according to Coroner Heit of Bridgeburg, who by two o'clock had been summoned to the scene of the tragedy, it was not considered at all likely that it would be. Several marks and abrasions found upon the dead girl's head and face, as well as the testimony of three men who arrived on the scene while the search was still on and testified to having met a young man who answered to the description of Golden or Graham in the woods to the south of the lake the night before, caused many to conclude that a murder had been committed and that the murderer was seeking to make his escape.

The girl's brown leather traveling bag, as well as a hat and coat belonging to her, were left, the bag in the ticket agent's room at Gun Lodge, which is the railway station five miles east of Big Bittern, and

the hat and coat in the coatroom of the inn at the Lake, whereas Graham or Golden is said to have taken his suitcase with him into the boat.

According to the innkeeper at Big Bittern, the couple on their arrival registered as Clifford Golden and wife of Albany. They remained in the inn but a few minutes before Golden walked to the boat-landing just outside and procured a light boat, in which, accompanied by the girl and his suitcase, he went out on the lake. They did not return, and yesterday morning the boat was found bottomside up in what is known as Moon Cove, a small bay or extension at the extreme south end of the lake, from the waters of which soon afterwards the body of the young woman was recovered. As there are no known rocks in the lake at that point, and the wounds upon the face are quite marked, suspicion was at once aroused that the girl might have been unfairly dealt with. This, together with the testimony of the three men, as well as the fact that a man's straw hat found nearby contained no lining or other method of identification, has caused Coroner Heit to assert that unless the body of the man is found he will assume that murder has been committed.

Golden or Graham, as described by innkeepers and guests and guides at Grass Lake and Big Bittern, is not more than twenty-four or twenty-five years of age, slender, dark, and not more than five feet eight or nine inches tall. At the time he arrived he was dressed in a light gray suit, tan shoes, and a straw hat and carried a brown suitcase to which was attached an umbrella and some other object, presumably a cane.

The hat and coat left by the girl at the inn were of dark and light tan respectively, her dress a dark blue.

Notice has been sent to all railroad stations in this vicinity to be on the lookout for Golden, or Graham, in order that he may be arrested if he is alive and attempts to make his escape. The body of the drowned girl is to be removed to Bridgeburg, the county seat of this county, where an inquest is later to be held."

In frozen silence he sat and pondered. For would not the news of such a dastardly murder as this now appeared to be, together with the fact that it had been committed in this immediate vicinity, stir up such marked excitement as to cause many—perhaps all—to scan all goers and comers everywhere in the hope of detecting the one who had thus been described? Might it not be better, therefore, since they were so close on his trail already, if he were to go to the authorities at Big Bittern or here and make a clean breast of all that had thus far occurred, the original plot and the reasons therefor, only explaining how at the very last he had not really killed her—had experienced a change of heart and had not been able to do as he had planned? But, no. That would be to give away to Sondra and the Griffiths all that had been going on between him and Roberta—and before it was absolutely certain that all was ended for him here. And besides, would they believe him now, after that flight—those reported

wounds? Did it not really look as though he had killed her, regardless of how he might try to explain that he had not?

It was not unlikely also that at least some among all those who had seen him would be able to detect him from this printed description, even though he no longer wore the gray suit or the straw hat. God! They were looking for him, or rather for that Clifford Golden or Carl Graham who looked like him, in order to charge him with murder! But if he looked exactly like Clifford Golden and those three men came! He began to shiver. And worst yet. A new and horrible thought, this—and at this instant, and for the first time flashing upon his mind—the similarity of those initials to his own! He had never thought of them in an unfavorable light before, but now he could see that they were detrimental. Why was it that he had never thought of that before? Why was it? Why was it? Oh, God!

Just then a telephone call for him came from Sondra. It was announced as from her. Yet even so he was compelled to brace himself in order to make even an acceptable showing, vocally. How was her sick boy this morning? Any better? How dreadful that illness last night to come on him so suddenly. Was he really all right now? And was he going to be able to go on the trip all right? That was fine. She had been so frightened and so worried all night for fear he might be too sick to want to go. But he was going, so everything was all right again now. Darling! Precious baby! Did her baby boy love her so? She was just sure that the trip would do him a lot of good. But until noon, now, dear, she would be using all her spare time getting ready, but at one, or one-thirty, everybody would be at the Casino pier. And then—oh, my! Ho! for a great old time up there! He was to come with Bertine and Grant and whoever else was coming from there, and then at the pier he could change to Stuart's launch. They were certain to have so much fun—just loads of it—but just now she would have to go. Bye-bye!

And once more like a bright-colored bird she was gone.

But three hours to wait before he could leave here and so avoid the danger of encountering any one who might be looking for Clifford Golden or Carl Graham! Still until then he could walk up the lake shore into the woods, couldn't he?—or sit below, his bag all packed, and watch who, if anybody, might approach along the long-winding path from the road or by launch across the lake. And if he saw any one who looked at all suspicious, he could take flight, could he not? And afterwards doing just that—first walking away into the woods and looking back, as

might a hunted animal. Then later returning and sitting or walking, but always watching, watching. (What man was that? What boat was that? Where was it going? Was it coming here, by any chance? Who was in it? Supposing an officer—a detective? Then flight, of course—if there was still time.)

But, at last one o'clock, and the Cranston launch, with Bertine and Harley and Wynette, as well as Grant and himself, setting out for the pier. And once there, joined by all who were going, together with the servants. And at Little Fish Inlet, thirty miles north, on the eastern shore, they were met by the cars of the Baggotts', Harriets' and others, from where, with their goods and canoes, they were portaged forty miles east to Bear Lake, as lonely and as arresting almost as Big Bittern itself.

The joy of this trip if only that other thing were not hanging over him now. This exquisite pleasure of being near Sondra, her eyes constantly telling him how much she cared. And her spirit's flame so high because of his presence here with her now. And yet Roberta's body up! That search for Clifford Golden—Carl Graham. His identical description wired as well as published everywhere. These others—all of them in their boats and cars had probably read it. And yet, because of their familiarity with him and his connections—Sondra, the Griffiths—not suspecting him—not thinking of the description even. But if they should! If they should guess! The horror! The flight! The exposure! The police! The first to desert him—these—all save Sondra perhaps. And even she, too. Yes, she, of course. The horror in her eyes.

And then that evening at sundown, on the west shore of this same lake, on an open sward that was as smooth as any well-kept lawn, the entire company settled, in five different colored tents ranged about a fire like an Indian village, with cooks' and servants' tents in the distance. And the half dozen canoes beached like bright fish along the grassy shore of the lake. And then supper around an open fire. And Baggott and Harriet and Stuart and Grant, after furnishing music for the others to dance by, organizing, by the flare of a large gasoline lamp, a poker game. And the others joining in singing ribald camping and college songs, no one of which Clyde knew, yet in which he tried to join. And shouts of laughter. And bets as to who would be the first to catch the first fish, to shoot the first squirrel or partridge, to win the first race. And lastly, solemn plans for moving the camp at least ten miles farther east, after breakfast, on the morrow where was an ideal beach, and where they

would be within five miles of the Wetissic Inn, and where they could dine and dance to their heart's content.

And then the silence and the beauty of this camp at night, after all had presumably gone to bed. The stars! The mystic, shadowy water, faintly rippling in a light wind, the mystic, shadowy pines conferring in the light breezes, the cries of night birds and owls—too disturbing to Clyde to be listened to with anything but inward distress. The wonder and glory of all this—if only—if only he were not stalked after, as by a skeleton, by the horror not only of what he had done in connection with Roberta but the danger and the power of the law that deemed him a murderer! And then Sondra, the others having gone to bed—or off into the shadow,—stealing out for a few last words and kisses under the stars. And he whispering to her how happy he was, how grateful for all her love and faith, and at one point almost tempted to ask whether in case it should ever appear that he was not as good as she now seemed to imagine him, she would still love him a little—not hate him entirely—yet refraining for fear that after that exhibition of terror the preceding night she might connect his present mood with that, or somehow with the horrible, destructive secret that was gnawing at his vitals.

And then afterwards, lying in the four-cot tent with Baggott, Harriet and Grant, listening nervously for hours for any prowling steps that might mean—that might mean—God—what might they not mean even up here?—the law! arrest! exposure! Death. And waking twice in the night out of dread, destructive dreams, —and feeling as though—and fearing—that he had cried out in his sleep.

But then the glory of the morning once more—with its rotund and yellow sun rising over the waters of the lake—and in a cove across the lake wild ducks paddling about. And after a time Grant and Stuart and Harley, half-clad and with guns and a great show of fowling skill, foolishly setting forth in canoes in the hope of bagging some of the game with long distance shots, yet getting nothing, to the merriment of all the others. And the boys and girls, stealing out in bright-colored bathing suits and silken beach robes to the water, there to plunge gayly in and shout and clatter concerning the joy of it all. And breakfast at nine, with afterwards the gayety and beauty of the bright flotilla of canoes making eastward along the southern lake shore, banjos, guitars and mandolins strumming and voices raised in song, jest, laughter.

"Whatever matter wissum sweet to-day? Face all dark. Can-

tum be happy out here wis Sonda and all these nicey good-baddies?"

And Clyde as instantly realizing that he must pretend to be gay and care-free.

And then Harley Baggott and Grant and Harriet at about noon announcing that there—just ahead—was the fine beach they had in mind—the Ramshorn, a spit of land commanding from its highest point all the length and breadth of the lake. And with room on the shore below for all the tents and paraphernalia of the company. And then, throughout this warm, pleasant Sunday afternoon, the usual program of activities—lunching, swimming, dancing, walking, card-playing, music. And Clyde and Sondra, like other couples, stealing off—Sondra with a mandolin—to a concealed rock far to the east of the camp, where in the shade of the pines they could lie—Sondra in Clyde's arms—and talk of the things they were certain to do later, even though, as she now announced, Mrs. Finchley was declaring that after this particular visit of Clyde's her daughter was to have nothing more to do with him in any such intimate social way as this particular trip gave opportunity for. He was too poor—too nondescript a relative of the Griffiths. (It was so that Sondra, yet in a more veiled way, described her mother as talking.) Yet adding: "How ridiculous, sweetum! But don't you mind. I just laughed and agreed because I don't want to aggravate her just now. But I did ask her how I was to avoid meeting you here or anywhere now since you are as popular as you are. My sweetum is so good-looking. Everybody thinks so—even the boys."

At this very hour, on the veranda of the Silver Inn at Sharon, District Attorney Mason, with his assistant Burton Burleigh, Coroner Heit and Earl Newcomb, and the redoubtable Sheriff Slack, paunched and scowling, yet genial enough in ordinary social intercourse, together with three assistants—first, second and third deputies Kraut, Sissel and Swenk—conferring as to the best and most certain methods of immediate capture.

"He has gone to Bear Lake. We must follow and trap him before news reaches him in any way that he is wanted."

And so they set forth—this group—Burleigh and Earl Newcomb about Sharon itself in order to gather such additional data as they might in connection with Clyde's arrival and departure from here for the Cranstons' on Friday, talking with and subpœnaing any such individuals as might throw any light on his movements; Heit to Three Mile Bay on much the same errand,

to see Captain Mooney of the "Cygnus" and the three men and Mason, together with the sheriff and his deputies, in a high-powered launch chartered for the occasion, to follow the now known course of the only recently-departed camping party, first to Little Fish Inlet and from there, in case the trail proved sound, to Bear Lake.

And on Monday morning, while those at Ramshorn Point after breaking camp were already moving on toward Shelter Beach fourteen miles east, Mason, together with Slack and his three deputies, arriving at the camp deserted the morning before. And there, the Sheriff and Mason taking counsel with each other and then dividing their forces so that in canoes commandeered from lone residents of the region they now proceeded, Mason and First Deputy Kraut along the south shore, Slack and Second Deputy Sissel along the north shore, while young Swenk, blazing with a desire to arrest and handcuff some one, yet posing for the occasion as a lone young hunter or woodsman, paddled directly east along the center of the lake in search of any informing smoke or fires or tents or individuals idling along the shores. And with great dreams of being the one to capture the murderer—I arrest you, Clyde Griffiths, in the name of the law! —yet because of instructions from Mason, as well as Slack, grieving that instead, should he detect any signs, being the furthermost outpost, he must, in order to avoid frightening the prey or losing him, turn on his track and from some point not so likely to be heard by the criminal fire one single shot from his eight-chambered repeater, whereupon whichever party chanced to be nearest would fire one shot in reply and then proceed as swiftly as possible in his direction. But under no circumstances was he to attempt to take the criminal alone, unless noting the departure by boat or on foot of a suspicious person who answered the description of Clyde.

At this very hour, Clyde, with Harley Baggott, Bertine and Sondra, in one of the canoes, paddling eastward along with the remainder of the flotilla, looking back and wondering. Supposing by now, some officer or some one had arrived at Sharon and was following him up here? For would it be hard to find where he had gone, supposing only that they knew his name?

But they did not know his name. Had not the items in the papers proved that? Why worry so always, especially on this utterly wonderful trip and when at last he and Sondra could be together again? And besides, was it not now possible for him to wander off by himself into these thinly populated woods along the shore to the eastward, toward that inn at the other

end of the lake—and not return? Had he not inquired most casually on Saturday afternoon of Harley Baggott as well as others as to whether there was a road south or east from the east end of the lake? And had he not learned there was?

And at last, at noon, Monday, reaching Shelter Beach, the third spot of beauty contemplated by the planners of this outing, where he helped to pitch the tents again while the girls played about.

Yet at the same hour, at the Ramshorn site, because of the ashes from their fires left upon the shore, young Swenk, most eagerly and enthusiastically, like some seeking animal, approaching and examining the same and then going on—swiftly. And but one hour later, Mason and Kraut, reconnoitering the same spot, but without either devoting more than a cursory glance, since it was obvious that the prey had moved farther on.

But then greater speed in paddling on the part of Swenk, until by four he arrived at Shelter Beach. And then, descrying as many as a half dozen people in the water in the distance, at once turning and retreating in the direction of the others in order to give the necessary signal. And some two miles back firing one shot, which in its turn was responded to by Mason as well as Sheriff Slack. Both parties had heard and were now paddling swiftly east.

At once Clyde in the water—near Sondra—hearing this was made to wonder. The ominous quality of that first shot! Followed by those two additional signals—farther away, yet seemingly in answer to the first! And then the ominous silence thereafter! What was that? And with Harley Baggott jesting: "Listen to the guys shooting game out of season, will you? It's against the law, isn't it?"

"Hey, you!" Grant Cranston shouted. "Those are my ducks down there! Let 'em alone."

"If they can't shoot any better than you, Granty, they will let 'em alone." This from Bertine.

Clyde, while attempting to smile, looked in the direction of the sound and listened like a hunted animal.

What was it now that urged him to get out of the water and dress and run? Hurry! Hurry! To your tent! To the woods, quick! Until at last heeding this, and while most of the others were not looking, hurrying to his tent, changing to the one plain blue business suit and cap that he still possessed, then slipping into the woods back of the camp—out of sight and hearing of all present until he should be able to think and determine, but keeping always safely inland out of the direct view of the water, for

fear—for fear—who could tell exactly what those shots meant?

Yet Sondra! And her words of Saturday and yesterday and to-day. Could he leave her in this way, without being sure? Could he? Her kisses! Her dear assurances as to the future! What would she think now—and those others—in case he did not go back? The comment which was certain to be made in the Sharon and other papers in regard to this disappearance of his, and which was certain to identify him with this same Clifford Golden or Carl Graham! was it not?

Then reflecting also—the possible groundlessness of these fears, based on nothing more, maybe, than the chance shots of passing hunters on the lake or in these woods. And then pausing and debating with himself whether to go on or not. Yet, oh, the comfort of these tall, pillared trees—the softness and silence of these brown, carpeting needles on the ground—the clumps and thickets of underbrush under which one could lie and hide until night should fall again. And then on—and on. But turning, none-the-less, with the intention of returning to the camp to see whether any one had come there. (He might say he had taken a walk and got lost in the woods.)

But about this time, behind a protecting group of trees at least two miles west of the camp, a meeting and conference between Mason, Slack and all the others. And later, as a result of this and even as Clyde lingered and returned somewhat nearer the camp, Mason, Swenk paddling the canoe, arriving and inquiring of those who were now on shore if a Mr. Clyde Griffiths was present and might he see him. And Harley Baggott, being nearest, replying: "Why, yes, sure. He's around here somewhere." And Stuart Finchley calling: "Eh-o, Griffiths!" But no reply.

Yet Clyde, not near enough to hear any of this, even now returning toward the camp, very slowly and cautiously. And Mason concluding that possibly he was about somewhere and unaware of anything, of course, deciding to wait a few minutes anyhow—while advising Swenk to fall back into the woods and if by any chance encountering Slack or any other to advise him that one man be sent east along the bank and another west, while he—Swenk—proceeded in a boat eastward as before to the inn at the extreme end, in order that from there word might be given to all as to the presence of the suspect in this region.

In the meanwhile Clyde by now only three-quarters of a mile east, and still whispered to by something which said: Run, run, do not linger! yet lingering, and thinking *Sondra,* this wonderful life! Should he go so? And saying to himself that he might be

making a greater mistake by going than by staying. For supposing those shots were nothing—hunters, mere game shots meaning nothing in his case—and yet costing him all? And yet turning at last and saying to himself that perhaps it might be best not to return at present, anyhow at least not until very late—after dark—to see if those strange shots had meant anything.

But then again pausing silently and dubiously, the while vesper sparrows and woodfinches sang. And peering. And peeking nervously.

And then all at once, not more than fifty feet distant, out of the long, tall aisles of the trees before him, a whiskered, woodsman-like type of man approaching swiftly, yet silently—a tall, bony, sharp-eyed man in a brown felt hat and a brownish-gray baggy and faded suit that hung loosely over his spare body. And as suddenly calling as he came—which caused Clyde's blood to run cold with fear and rivet him to the spot.

"Hold on a moment, mister! Don't move. Your name don't happen to be Clyde Griffiths, does it?" And Clyde, noting the sharp inquisitorial look in the eye of this stranger, as well as the fact that he had already drawn a revolver and was lifting it up, now pausing, the definiteness and authority of the man chilling him to the marrow. Was he really being captured? Had the officers of the law truly come for him? God! No hope of flight now! Why had he not gone on? Oh, why not? And at once he was weak and shaking, yet, not wishing to incriminate himself about to reply, "No!" Yet because of a more sensible thought, replying, "Why, yes, that's my name."

"You're with this camping party just west of here, aren't you?"

"Yes, sir, I am."

"All right, Mr. Griffiths. Excuse the revolver. I'm told to get you, whatever happens, that's all. My name is Kraut. Nicholas Kraut. I'm a deputy sheriff of Cataraqui County. And I have a warrant here for your arrest. I suppose you know what for, and that you're prepared to come with me peaceably." And at this Mr. Kraut gripped the heavy, dangerous-looking weapon more firmly even, and gazed at Clyde in a firm, conclusive way.

"Why—why—no—I don't," replied Clyde, weakly and heavily, his face white and thin. "But if you have a warrant for my arrest, I'll go with you, certainly. But what—what—I don't understand"—his voice began to tremble slightly as he said this—"is—is why you want to arrest me?"

"You don't, eh? You weren't up at either Big Bittern or Grass Lake by any chance on last Wednesday or Thursday, eh?"

"Why, no, sir, I wasn't," replied Clyde, falsely.

"And you don't happen to know anything about the drowning of a girl up there that you were supposed to be with—Roberta Alden, of Biltz, New York, I believe."

"Why, my God, no!" replied Clyde, nervously and staccatically, the true name of Roberta and her address being used by this total stranger, and so soon, staggering him. Then they knew! They had obtained a clue. His true name and hers! God! "Am I supposed to have committed a murder?" he added, his voice faint—a mere whisper.

"Then you don't know that she was drowned last Thursday? And you weren't with her at that time?" Mr. Kraut fixed a hard, inquisitive, unbelieving eye on him.

"Why, no, of course, I wasn't," replied Clyde, recalling now but one thing—that he must deny all—until he should think or know what else to do or say.

"And you didn't meet three men walking south last Thursday night from Big Bittern to Three Mile Bay at about eleven o'clock?"

"Why, no, sir. Of course I didn't. I wasn't up there, I told you."

"Very well, Mr. Griffiths, I haven't anything more to say. All I'm supposed to do is to arrest you, Clyde Griffiths, for the murder of Roberta Alden. You're my prisoner." He drew forth—more by way of a demonstration of force and authority than anything else—a pair of steel handcuffs, which caused Clyde to shrink and tremble as though he had been beaten.

"You needn't put those on me, mister," he pleaded. "I wish you wouldn't. I never had anything like that on before. I'll go with you without them." He looked longingly and sadly about at the trees, into the sheltering depths of which so recently he ought to have plunged. To safety.

"Very well, then," replied the redoubtable Kraut. "So long as you come along peaceful." And he took Clyde by one of his almost palsied arms.

"Do you mind if I ask you something else," asked Clyde, weakly and fearsomely, as they now proceeded, the thought of Sondra and the others shimmering blindingly and reducingly before his eyes. Sondra! Sondra! To go back there an arrested murderer! And before her and Bertine! Oh, no! "Are you, are you intending to take me to that camp back there?"

"Yes, sir, that's where I'm intending to take you now. Them's my orders. That's where the district attorney and the sheriff of Cataraqui County are just now."

"Oh, I know, I know," pleaded Clyde, hysterically, for by now he had lost almost all poise, "but couldn't you—couldn't you—so long as I go along just as you want—those are all my friends, you know, back there, and I'd hate . . . couldn't you just take me around the camp somewhere to wherever you want to take me? I have a very special reason—that is—I—I, oh, God, I hope you won't take me back there right now—will you please, Mr. Kraut?"

He seemed to Kraut very boyish and weak now—clean of feature, rather innocent as to eye, well-dressed and well-mannered—not at all the savage and brutal or murderous type he had expected to find. Indeed quite up to the class whom he (Kraut) was inclined to respect. And might he not after all be a youth of very powerful connections? The conversations he had listened to thus far had indicated that this youth was certainly identified with one of the best families in Lycurgus. And in consequence he was now moved to a slight show of courtesy and so added: "Very well, young man, I don't want to be too hard on you. After all, I'm not the sheriff or the district attorney—just the arresting officer. There are others down there who are going to be able to say what to do about you—and when we get down to where they are, you can ask 'em, and it may be that they won't find it necessary to take you back in there. But how about your clothes? They're back there, ain't they?"

"Oh, yes, but that doesn't matter," replied Clyde, nervously and eagerly. "I can get those any time. I just don't want to go back now, if I can help it."

"All right, then, come along," replied Mr. Kraut.

And so it was that they walked on together now in silence, the tall shafts of the trees in the approaching dusk making solemn aisles through which they proceeded as might worshipers along the nave of a cathedral, the eyes of Clyde contemplating nervously and wearily a smear of livid red still visible through the trees to the west.

Charged with murder! Roberta dead! And Sondra dead—to him! And the Griffiths! And his uncle! And his mother! And all those people in that camp!

Oh, oh, God, why was it that he had not run, when that something, whatever it was, had so urged him?

CHAPTER IX

IN the absence of Clyde, the impressions taken by Mr. Mason of the world in which he moved here, complementing and confirming those of Lycurgus and Sharon, were sufficient to sober him in regard to the ease (possibly) with which previously he had imagined it might be possible to convict him. For about him was such a scene as suggested all the means as well as the impulse to quiet such a scandal as this. Wealth. Luxury. Important names and connections to protect no doubt. Was it not possible that the rich and powerful Griffiths, their nephew seized in this way and whatever his crime, would take steps to secure the best legal talent available, in order to protect their name? Unquestionably—and then with such adjournments as it was possible for such talent to secure, might it not be possible that long before he could hope to convict him, he himself would automatically be disposed of as a prosecutor and without being nominated for and elected to the judgeship he so craved and needed.

Sitting before the circle of attractive tents that faced the lake and putting in order a fishing-pole and reel, was Harley Baggott, in a brightly-colored sweater and flannel trousers. And through the open flies of several tents, glimpses of individuals—Sondra, Bertine, Wynette and others—busy about toilets necessitated by the recent swim. Being dubious because of the smartness of the company as to whether it was politically or socially wise to proclaim openly the import of his errand, he chose to remain silent for a time, reflecting on the difference between the experiences of his early youth and that of Roberta Alden and these others. Naturally as he saw it a man of this Griffiths' connections would seek to use a girl of Roberta's connections thus meanly and brutally and hope to get away with it. Yet, eager to make as much progress as he could against whatever inimical fates might now beset him, he finally approached Baggott, and, most acidly, yet with as much show of genial and appreciative sociability as he could muster, observed:

"A delightful place for a camp, eh?"

"Yeh, we think so."

"Just a group from the estates and hotels about Sharon, I suppose?"

"Yeh. The south and west shore principally."

"Not any of the Griffiths, other than Mr. Clyde, I presume?"

"No, they're still over at Greenwood, I think."

"You know Mr. Clyde Griffiths personally, I suppose?"

"Oh, sure—he's one of the party."

"You don't happen to know how long he's been up here this time, I presume—up with the Cranstons, I mean."

"Since Friday, I think. I saw him Friday morning, anyhow. But he'll be back here soon and you can ask him yourself," concluded Baggott, beginning to sense that Mr. Mason was a little too inquisitive and in addition not of either his or Clyde's world.

And just then, Frank Harriet, with a tennis racquet under his arm, striding across the foreground.

"Where to, Frankie?"

"To try those courts Harrison laid out up here this morning."

"Who with?"

"Violet, Nadine and Stuart."

"Any room for another court?"

"Sure, there's two. Why not get Bert, and Clyde, and Sondra, and come up?"

"Well, maybe, after I get this thing set."

And Mason at once thinking: Clyde and Sondra. Clyde Griffiths and Sondra Finchley—the very girl whose notes and cards were in one of his pockets now. And might he not see her here, along with Clyde—possibly later talk to her about him?

But just then, Sondra and Bertine and Wynette coming out of their respective tents. And Bertine calling: "Oh, say, Harley, seen Nadine anywhere?"

"No, but Frank just went by. He said he was going up to the courts to play with her and Violet and Stew."

"Yes? Well, then, come on, Sondra. You too, Wynette. We'll see how it looks."

Bertine, as she pronounced Sondra's name, turned to take her arm, which gave Mason the exact information and opportunity he desired—that of seeing and studying for a moment the girl who had so tragically and no doubt all unwittingly replaced Roberta in Clyde's affections. And, as he could see for himself, more beautiful, more richly appareled than ever the other could have hoped to be. And alive, as opposed to the other now dead and in a morgue in Bridgeburg.

But even as he gazed, the three tripping off together arm in arm, Sondra calling back to Harley: "If you see Clyde, tell him

to come on up, will you?" And he replying: "Do you think that shadow of yours needs to be told?"

Mason, impressed by the color and the drama, looked intently and even excitedly about. Now it was all so plain why he wanted to get rid of the girl—the true, underlying motive. That beautiful girl there, as well as this luxury to which he aspired. And to think that a young man of his years and opportunities would stoop to such a horrible trick as that! Unbelievable! And only four days after the murder of the other poor girl, playing about with this beautiful girl in this fashion, and hoping to marry her, as Roberta had hoped to marry him. The unbelievable villainies of life!

Now, half-determining since Clyde did not appear, that he would proclaim himself and proceed to search for and seize his belongings here, Ed Swenk re-appearing and with a motion of the head indicating that Mason was to follow him. And once well within the shadow of the surrounding trees, indicating no less an individual than Nicholas Kraut, attended by a slim, neatly-dressed youth of about Clyde's reported years, who, on the instant and because of the waxy paleness of his face, he assumed must be Clyde. And at once he now approached him, as might an angry wasp or hornet, only pausing first to ask of Swenk where he had been captured and by whom—then gazing at Clyde critically and austerely as befitted one who represented the power and majesty of the law.

"So you are Clyde Griffiths, are you?"

"Yes, sir."

"Well, Mr. Griffiths, my name is Orville Mason. I am the district attorney of the county in which Big Bittern and Grass Lake are situated. I suppose you are familiar enough with those two places by now, aren't you?"

He paused to see the effect of this sardonic bit of commentary. Yet although he expected to see him wince and quail, Clyde merely gazed at him, his nervous, dark eyes showing enormous strain. "No, sir, I can't say that I am."

For with each step through the woods thus far back, there had been growing within him the utter and unshakable conviction that in the face of whatever seeming proof or charges might now appear, he dared not tell anything in regard to himself, his connection with Roberta, his visit to Big Bittern or Grass Lake. He dared not. For that would be the same as a confession of guilt in connection with something of which he was not really guilty. And no one must believe—never—Sondra, or the Griffiths, or any of these fine friends of his, that he could ever have

been guilty of such a thought, even. And yet here they were, all within call, and at any moment might approach and so learn the meaning of his arrest. And while he felt the necessity for so denying any knowledge in connection with all this, at the same time he stood in absolute terror of this man—the opposition and irritated mood such an attitude might arouse in him. That broken nose. His large, stern eyes.

And then Mason, eyeing him as one might an unheard-of and yet desperate animal and irritated also by his denial, yet assuming from his blanched expression that he might and no doubt would shortly be compelled to confess his guilt, continuing with: "You know what you are charged with, Mr. Griffiths, of course."

"Yes, sir, I just heard it from this man here."

"And you admit it?"

"Why, no, sir, of course I don't admit it," replied Clyde, his thin and now white lips drawn tight over his even teeth, his eyes full of a deep, tremulous yet evasive terror.

"Why, what nonsense! What effrontery! You deny being up to Grass Lake and Big Bittern on last Wednesday and Thursday?"

"Yes, sir."

"Well, then," and now Mason stiffened himself in an angry and at the same time inquisitorial way, "I suppose you are going to deny knowing Roberta Alden—the girl you took to Grass Lake, and then out on Big Bittern in that boat last Thursday—the girl you knew in Lycurgus all last year, who lived at Mrs. Gilpin's and worked under you in your department at Griffiths & Company—the girl to whom you gave that toilet set last Christmas! I suppose you're going to say that your name isn't Clyde Griffiths and that you haven't been living with Mrs. Peyton in Taylor Street, and that these aren't letters and cards from your trunk there—from Roberta Alden and from Miss Finchley, all these cards and notes." And extracting the letters and cards as he spoke and waving them before Clyde. And at each point in this harangue, thrusting his broad face, with its flat, broken nose and somewhat aggressive chin directly before Clyde's, and blazing at him with sultry, contemptuous eyes, while the latter leaned away from him, wincing almost perceptibly and with icy chills running up and down his spine and affecting his heart and brain. Those letters! All this information concerning him! And back in his bag in the tent there, all those more recent letters of Sondra's in which she dwelt on how they were to elope together this coming fall. If only he had destroyed them! And now this man might find

those—would—and question Sondra maybe, and all these others. He shrunk and congealed spiritually, the revealing effects of his so poorly conceived and executed scheme weighing upon him as the world upon the shoulders of an inadequate Atlas.

And yet, feeling that he must say something and yet not admit anything. And finally replying: "My name's Clyde Griffiths all right, but the rest of this isn't true. I don't know anything about the rest of it."

"Oh, come now, Mr. Griffiths! Don't begin by trying to play fast and loose with me. We won't get anywhere that way. You won't help yourself one bit by that with me, and besides I haven't any time for that now. Remember these men here are witnesses to what you say. I've just come from Lycurgus—your room at Mrs. Peyton's—and I have in my possession your trunk and this Miss Alden's letters to you—indisputable proof that you did know this girl, that you courted and seduced her last winter, and that since then—this spring—when she became pregnant on your account, you induced her first to go home and then later to go away with you on this trip in order, as you told her, to marry her. Well, you married her all right—to the grave—that's how you married her—to the water at the bottom of Big Bittern Lake! And you can actually stand here before me now, when I tell you that I have all the evidence I need right on my person, and say that you don't even know her! Well, I'll be damned!"

And as he spoke his voice grew so loud that Clyde feared that it could be clearly heard in the camp beyond. And that Sondra herself might hear it and come over. And although at the outrush and jab and slash of such dooming facts as Mason so rapidly outlined, his throat tightened and his hands were with difficulty restrained from closing and clinching vise-wise, at the conclusion of it all he merely replied: "Yes, sir."

"Well, I'll be damned!" reiterated Mason. "I can well believe now that you would kill a girl and sneak away in just such a way as you did—and with her in that condition! But then to try to deny her own letters to you! Why, you might as well try to deny that you're here and alive. These cards and notes here—what about them? I suppose they're not from Miss Finchley? How about those? Do you mean to tell me these are not from her either?"

He waved them before Clyde's eyes. And Clyde, seeing that the truth concerning these, Sondra being within call, was capable of being substantiated here and now, replied: "No, I don't deny that those are from her."

"Very good. But these others from your trunk in the same room are not from Miss Alden to you?"

"I don't care to say as to that," he replied, blinking feebly as Mason waved Roberta's letters before him.

"Tst! Tst! Tst! Of all things," clicked Mason in high dudgeon. "Such nonsense! Such effrontery! Oh, very well, we won't worry about all that now. I can easily prove it all when the time comes. But how you can stand there and deny it, knowing that I have the evidence, is beyond me! A card in your own handwriting which you forgot to take out of the bag you had her leave at Gun Lodge while you took yours with you, Mr. Carl Graham, Mr. Clifford Golden, Mr. Clyde Griffiths,—a card on which you wrote 'From Clyde to Bert, Merry Xmas.' Do you remember that? Well, here it is." And here he reached into his pocket and drew forth the small card taken from the toilet set and waved it under Clyde's nose. "Have you forgotten that, too? Your own handwriting!" And then pausing and getting no reply, finally adding: "Why, what a dunce you are!—what a poor plotter, without even the brains not to use your own initials in getting up those fake names you had hoped to masquerade under—Mr. Carl Graham—Mr. Clifford Golden!"

At the same time, fully realizing the importance of a confession and wondering how it was to be brought about here and now, Mason suddenly—Clyde's expression, his frozen-faced terror, suggesting the thought that perhaps he was too frightened to talk at once changed his tactics—at least to the extent of lowering his voice, smoothing the formidable wrinkles from his forehead and about his mouth.

"You see, it's this way, Griffiths," he now began, much more calmly and simply. "Lying or just foolish thoughtless denial under such circumstances as these can't help you in the least. It can only harm you, and that's the truth. You may think I've been a little rough so far, but it was only because I've been under a great strain myself in connection with this case, trying to catch up with some one I thought would be a very different type from yourself. But now that I see you and see how you feel about it all—how really frightened you are by what has happened—it just occurs to me that there may be something in connection with this case, some extenuating circumstances, which, if they were related by you now, might throw a slightly different light on all this. Of course, I don't know. You yourself ought to be the best judge, but I'm laying the thought before you for what it's worth. For, of course, here

are these letters. Besides, when we get to Three Mile Bay to-morrow, as we will, I hope, there will be those three men who met you the other night walking south from Big Bittern. And not only those, but the innkeeper from Grass Lake, the innkeeper from Big Bittern, the boatkeeper up there who rented that boat, and the driver who drove you and Roberta Alden over from Gun Lodge. They will identify you. Do you think they won't know you—not any of them—not be able to say whether you were up there with her or not, or that a jury when the time comes won't believe them?"

And all this Clyde registered mentally like a machine clicking to a coin, yet said nothing,—merely staring, frozen.

"And not only that," went on Mason, very softly and most ingratiatingly, "but there's Mrs. Peyton. She saw me take these letters and cards out of that trunk of yours in your room and from the top drawer of your chiffonier. Next, there are all those girls in that factory where you and Miss Alden worked. Do you suppose they're not going to remember all about you and her when they learn that she is dead? Oh, what nonsense! You ought to be able to see that for yourself, whatever you think. You certainly can't expect to get away with that. It makes a sort of a fool out of you. You can see that for yourself."

He paused again, hoping for a confession. But Clyde still convinced that any admission in connection with Roberta or Big Bittern spelled ruin, merely stared while Mason proceeded to add:

"All right, Griffiths, I'm now going to tell you one more thing, and I couldn't give you better advice if you were my own son or brother and I were trying to get you out of this instead of merely trying to get you to tell the truth. If you hope to do anything at all for yourself now, it's not going to help you to deny everything in the way you are doing. You are simply making trouble and condemning yourself in other people's eyes. Why not say that you did know her and that you were up there with her and that she wrote you those letters, and be done with it? You can't get out of that, whatever else you may hope to get out of. Any sane person—your own mother, if she were here—would tell you the same thing. It's too ridiculous and indicates guilt rather than innocence. Why not come clean here and now as to those facts, anyhow, before it's too late to take advantage of any mitigating circumstances in connection with all this—if there are any? And if you do *now,* and I can help you in any way, I promise you here and now that I'll be

only too glad to do so. For, after all, I'm not out here just to hound a man to death or make him confess to something that he hasn't done, but merely to get at the truth in the case. But if you're going to deny that you even knew this girl when I tell you I have all the evidence and can prove it, why then——" and here the district attorney lifted his hands aloft most wearily and disgustedly.

But now as before Clyde remained silent and pale. In spite of all Mason had revealed, and all that this seemingly friendly, intimate advice seemed to imply, still he could not conceive that it would be anything less than disastrous for him to admit that he even knew Roberta. The fatality of such a confession in the eyes of these others here. The conclusion of all his dreams in connection with Sondra and this life. And so, in the face of this—silence, still. And at this, Mason, irritated beyond measure, finally exclaiming: "Oh, very well, then. So you've finally decided not to talk, have you?" And Clyde, blue and weak, replied: "I had nothing to do with her death. That's all I can say now," yet even as he said it thinking that perhaps he had better not say that—that perhaps he had better say—well, what? That he knew Roberta, of course, had been up there with her, for that matter—but that he had never intended to kill her—that her drowning was an accident. For he had not struck her at all, except by accident, had he? Only it was best not to confess to having struck her at all, wasn't it? For who under such circumstances would believe that he had struck her with a camera by accident. Best not to mention the camera, since there was no mention anywhere in the papers that he had had one with him.

And he was still cogitating while Mason was exclaiming: "Then you admit that you knew her?"

"No, sir."

"Very well, then," he now added, turning to the others, "I suppose there's nothing for it but to take him back there and see what they know about him. Perhaps that will get something out of this fine bird—to confront him with his friends. His bag and things are still back there in one of those tents, I believe. Suppose we take him down there, gentlemen, and see what these other people know about him."

And now, swiftly and coldly he turned, while Clyde, already shrinking at the horror of what was coming, exclaimed: "Oh, please, no! You don't mean to do that, do you? Oh, you won't do that! Oh, please, no!"

And at this point Kraut speaking up and saying: "He asked me back there in the woods if I wouldn't ask you not to take

him in there." "Oh, so that's the way the wind blows, is it?" exclaimed Mason at this. "Too thin-skinned to be shown up before ladies and gentlemen of the Twelfth Lake colony, but not even willing to admit that you knew the poor little working-girl who worked for you. Very good. Well, then, my fine friend, suppose you come through with what you really do know now, or down there you go." And he paused a moment to see what effect that would have. "We'll call all those people together and explain just how things are, and then see if you will be willing to stand there and deny everything!" But noting still a touch of hesitation in Clyde he now added: "Bring him along, boys." And turning toward the camp he proceeded to walk in that direction a few paces while Kraut taking one arm, and Swenk another, and beginning to move Clyde he ended by exclaiming:

"Oh, please, no! Oh, I hope you won't do anything like that, will you, Mr. Mason? Oh, I don't want to go back there if you don't mind. It isn't that I'm guilty, but you can get all my things without my going back there. And besides it will mean so much to me just now." Beads of perspiration once more burst forth on his pale face and hands and he was deadly cold.

"Don't want to go, eh?" exclaimed Mason, pausing as he heard this. "It would hurt your pride, would it, to have 'em know? Well, then, supposing you just answer some of the things I want to know—and come clean and quick, or off we go—and that without one more moment's delay! Now, will you answer or won't you?" And again he turned to confront Clyde, who, with lips trembling and eyes confused and wavering, nervously and emphatically announced:

"Of course I knew her. Of course I did. Sure! Those letters show that. But what of it? I didn't kill her. And I didn't go up there with her with any intention of killing her, either. I didn't. I didn't, I tell you! It was all an accident. I didn't even want to take her up there. She wanted me to go—to go away with her somewhere, because—because, well you know—her letters show. And I was only trying to get her to go off somewhere by herself, so she would let me alone, because I didn't want to marry her. That's all. And I took her out there, not to kill her at all, but to try to persuade her, that's all. And I didn't upset the boat—at least, I didn't mean to. The wind blew my hat off, and we—she and I—got up at the same time to reach for it and the boat upset—that's all. And the side of it hit her on the head. I saw it, only I was too frightened the way she was struggling about in the water to go near her, because I was afraid that if I did she might drag me down. And then

she went down. And I swam ashore. And that's the God's truth!"

His face, as he talked, had suddenly become all flushed, and his hands also. Yet his eyes were tortured, terrified pools of misery. He was thinking—but maybe there wasn't any wind that afternoon and maybe they would find that out. Or the tripod hidden under a log. If they found that, wouldn't they think he hit her with that? He was wet and trembling.

But already Mason was beginning to question him again.

"Now, let's see as to this a minute. You say you didn't take her up there with any intention of killing her?"

"No, sir, I didn't."

"Well, then, how was it that you decided to write your name two different ways on those registers up there at Big Bittern and Grass Lake?"

"Because I didn't want any one to know that I was up there with her."

"Oh, I see. Didn't want any scandal in connection with the condition she was in?"

"No, sir. Yes, sir, that is."

"But you didn't mind if her name was scandalized in case she was found afterwards?"

"But I didn't know she was going to be drowned," replied Clyde, slyly and shrewdly, sensing the trap in time.

"But you did know that you yourself weren't coming back, of course. You knew that, didn't you?"

"Why, no, sir, I didn't know that I wasn't coming back. I thought I was."

"Pretty clever. Pretty clever," thought Mason to himself, but not saying so, and then, rapidly: "And so in order to make everything easy and natural as possible for you to come back, you took your own bag with you and left hers up there. Is that the way? How about that?"

"But I didn't take it because I was going away. We decided to put our lunch in it."

"We, or you?"

"We."

"And so you had to carry that big bag in order to take a little lunch along, eh? Couldn't you have taken it in a paper, or in her bag?"

"Well, her bag was full, and I didn't like to carry anything in a paper."

"Oh, I see. Too proud and sensitive, eh? But not too proud to carry a heavy bag all the way, say twelve miles, in the night

to Three Mile Bay, and not ashamed to be seen doing it, either, were you?"

"Well, after she was drowned and I didn't want to be known as having been up there with her, and had to go along——"

He paused while Mason merely looked at him, thinking of the many, many questions he wanted to ask him—so many, many more, and which, as he knew or guessed, would be impossible for him to explain. Yet it was getting late, and back in the camp were Clyde's as yet unclaimed belongings—his bag and possibly that suit he had worn that day at Big Bittern—a gray one as he had heard—not this one. And to catechize him here this way in the dusk, while it might be productive of much if only he could continue it long enough, still there was the trip back, and en route he would have ample time to continue his questionings.

And so, although he disliked much so to do at the moment, he now concluded with: "Oh, well, I tell you, Griffiths, we'll let you rest here for the present. It may be that what you are saying is so—I don't know. I most certainly hope it is, for your sake. At any rate, you go along there with Mr. Kraut. He'll show you where to go."

And then turning to Swenk and Kraut, he exclaimed: "All right, boys. I'll tell you how we'll do. It's getting late and we'll have to hurry a little if we expect to get anywhere yet tonight. Mr. Kraut, suppose you take this young man down where those other two boats are and wait there. Just halloo a little as you go along to notify the sheriff and Sissell that we're ready. And then Swenk and I'll be along in the other boat as soon as we can."

And so saying and Kraut obeying, he and Swenk proceeded inward through the gathering dusk to the camp, while Kraut with Clyde went west, hallooing for the sheriff and his deputy until a response was had.

CHAPTER X

THE effect of Mason's re-appearance in the camp with the news, announced first to Frank Harriet, next to Harley Baggott and Grant Cranston, that Clyde was under arrest—that he actually had confessed to having been with Roberta at Big Bittern, if not to having killed her, and that he, Mason, was there with Swenk to take possession of his property—was sufficient to destroy this pretty outing as by a breath. For although amazement and disbelief and astounded confusion were characteristic of the words of all, nevertheless here was Mason demanding to know where were Clyde's things, and asserting that it was at Clyde's request only that he was not brought here to identify his own possessions.

Frank Harriet, the most practical of the group, sensing the truth and authority of this, at once led the way to Clyde's tent, where Mason began an examination of the contents of the bag and clothes, while Grant Cranston, as well as Baggott, aware of Sondra's intense interest in Clyde, departed first to call Stuart, then Bertine, and finally Sondra—moving apart from the rest the more secretly to inform her as to what was then occurring. And she, following the first clear understanding as to this, turning white and fainting at the news, falling back in Grant's arms and being carried to her tent, where, after being restored to consciousness, she exclaimed: "I don't believe a word of it! It's not true! Why, it couldn't be! That poor boy! Oh, Clyde! Where is he? Where have they taken him?" But Stuart and Grant, by no means as emotionally moved as herself, cautioning her to be silent. It might be true at that. Supposing it were! The others would hear, wouldn't they? And supposing it weren't—he could soon prove his innocence and be released, couldn't he? There was no use in carrying on like this now.

But then, Sondra in her thoughts going over the bare possibility of such a thing—a girl killed by Clyde at Big Bittern—himself arrested and being taken off in this way—and she thus publicly—or at least by this group—known to be so interested in him,—her parents to know, the public itself to know—maybe——

But Clyde must be innocent. It must be all a mistake. And then her mind turning back and thinking of that news of the drowned girl she had first heard over the telephone there at the Harriets'. And then Clyde's whiteness—his illness—his all but complete collapse. Oh, no!—not that! Yet his delay in coming from Lycurgus until the Friday before. His failure to write from there. And then, the full horror of the charge returning, as suddenly collapsing again, lying perfectly still and white while Grant and the others agreed among themselves that the best thing to be done was to break up the camp, either now or early in the morning, and depart for Sharon.

And Sondra returning to consciousness after a time tearfully announcing that she must get out of here at once, that she couldn't "endure this place," and begging Bertine and all the others to stay close to her and say nothing about her having fainted and cried, since it would only create talk. And thinking all the time of how, if this were all true, she could secure those letters she had written him! Oh, heavens! For supposing now at this time they should fall into the hands of the police or the newspapers, and be published? And yet moved by her love for him and for the first time in her young life shaken to the point where the grim and stern realities of life were thrust upon her gay and vain notice.

And so it was immediately arranged that she leave with Stuart, Bertine and Grant for the Metissic Inn at the eastern end of the Lake, since from there, at dawn, according to Baggott, they might leave for Albany—and so, in a roundabout way for Sharon.

In the meantime, Mason, after obtaining possession of all Clyde's belongings here, quickly making his way west to Little Fish Inlet and Three Mile Bay, stopping only for the first night at a farmhouse and arriving at Three Mile Bay late on Tuesday night. Yet not without, en route, catechizing Clyde as he had planned, the more particularly since in going through his effects in the tent at the camp he had not found the gray suit said to have been worn by Clyde at Big Bittern.

And Clyde, troubled by this new development, denying that he had worn a gray suit and insisting that the suit he had on was the one he had worn.

"But wasn't it thoroughly soaked?"

"Yes."

"Well, then, where was it cleaned and pressed afterward?"

"In Sharon."

"In Sharon?"

"Yes, sir."

"By a tailor there?"

"Yes, sir."

"What tailor?"

Alas, Clyde could not remember.

"Then you wore it crumpled and wet, did you, from Big Bittern to Sharon?"

"Yes, sir."

"And no one noticed it, of course."

"Not that I remember—no."

"Not that you remember, eh? Well, we'll see about that later," and deciding that unquestionably Clyde was a plotter and a murderer. Also that eventually he could make Clyde show where he had hidden the suit or had had it cleaned.

Next there was the straw hat found on the lake. What about that? By admitting that the wind had blown his hat off, Clyde had intimated that he had worn a hat on the lake, but not necessarily the straw hat found on the water. But now Mason was intent on establishing within hearing of these witnesses, the ownership of the hat found on the water as well as the existence of a second hat worn later.

"That straw hat of yours that you say the wind blew in the water? You didn't try to get that either at the time, did you?"

"No, sir."

"Didn't think of it, I suppose, in the excitement?"

"No, sir."

"But just the same, you had another straw hat when you went down through the woods there. Where did you get that one?"

And Clyde, trapped and puzzled by this, pausing for the fraction of a second, frightened and wondering whether or not it could be proved that this second straw hat he was wearing was the one he had worn through the woods. Also whether the one on the water had been purchased in Utica, as it had. And then deciding to lie. "But I didn't have another straw hat." Without paying any attention to that, Mason reached over and took the straw hat on Clyde's head and proceeded to examine the lining with its imprint—Stark & Company, Lycurgus.

"This one has a lining, I see. Bought this in Lycurgus, eh?"

"Yes, sir."

"When?"

"Oh, back in June."

"But still you're sure now it's not the one you wore down through the woods that night?"

"No, sir."

"Well, where was it then?"

And Clyde once more pausing like one in a trap and thinking: My God! How am I to explain this now? Why did I admit that the one on the lake was mine? Yet, as instantly recalling that whether he had denied it or not, there were those at Grass Lake and Big Bittern who would remember that he had worn a straw hat on the lake, of course.

"Where was it then?" insisted Mason.

And Clyde at last saying: "Oh, I was up here once before and wore it then. I forgot it when I went down the last time but I found it again the other day."

"Oh, I see. Very convenient, I must say." He was beginning to believe that he had a very slippery person to deal with indeed—that he must think of his traps more shrewdly, and at the same time determining to summon the Cranstons and every member of the Bear Lake party in order to discover whether any recalled Clyde not wearing a straw hat on his arrival this time, also whether he had left a straw hat the time before. He was lying, of course, and he would catch him.

And so no real peace for Clyde at any time between there and Bridgeburg and the county jail. For however much he might refuse to answer, still Mason was forever jumping at him with such questions as: Why was it if all you wanted to do was to eat lunch on shore that you had to row all the way down to that extreme south end of the lake when it isn't nearly so attractive there as it is at other points? And: Where was it that you spent the rest of that afternoon—surely not just there? And then, jumping back to Sondra's letters discovered in his bag. How long had he known her? Was he as much in love with her as she appeared to be with him? Wasn't it because of her promise to marry him in the fall that he had decided to kill Miss Alden?

But while Clyde vehemently troubled to deny this last charge, still for the most part he gazed silently and miserably before him with his tortured and miserable eyes.

And then a most wretched night spent in the garret of a farmhouse at the west end of the lake, and on a pallet on the floor, while Sissel, Swenk and Kraut, gun in hand, in turn kept watch over him, and Mason and the sheriff and the others slept below stairs. And some natives, because of information distributed somehow, coming toward morning to inquire: "We hear the feller that killed the girl over to Big Bittern is here—is that right?" And then waiting to see them off at dawn in the Fords secured by Mason.

And again at Little Fish Inlet as well as Three Mile Bay,

actual crowds—farmers, store-keepers, summer residents, woodsmen, children—all gathered because of word telephoned on ahead apparently. And at the latter place, Burleigh, Heit and Newcomb, who, because of previously telephoned information, had brought before one Gabriel Gregg, a most lanky and crusty and meticulous justice of the peace, all of the individuals from Big Bittern necessary to identify him fully. And now Mason, before this local justice, charging Clyde with the death of Roberta and having him properly and legally held as a material witness to be lodged in the county jail at Bridgeburg. And then taking him, along with Burton, the sheriff and his deputies, to Bridgeburg, where he was promptly locked up.

And once there, Clyde throwing himself on the iron cot and holding his head in a kind of agony of despair. It was three o'clock in the morning, and just outside the jail as they approached he had seen a crowd of at least five hundred—noisy, jeering, threatening. For had not the news been forwarded that because of his desire to marry a rich girl he had most brutally assaulted and murdered a young and charming working-girl whose only fault had been that she loved him too well. There had been hard and threatening cries of "There he is, the dirty bastard! You'll swing for this yet, you young devil, wait and see!" This from a young woodsman not unlike Swenk in type—a hard, destroying look in his fierce young eyes, leaning out from the crowd. And worse, a waspish type of small-town slum girl, dressed in a gingham dress, who in the dim light of the arcs, had leaned forward to cry: "Lookit, the dirty little sneak—the murderer! You thought you'd get away with it, didnja?"

And Clyde, crowding closer to Sheriff Slack, and thinking: Why, they actually think I did kill her! And they may even lynch me! But so weary and confused and debased and miserable that at the sight of the outer steel jail door swinging open to receive him, he actually gave vent to a sigh of relief because of the protection it afforded.

But once in his cell, suffering none the less without cessation the long night through, from thoughts—thoughts concerning all that had just gone. Sondra! the Griffiths! Bertine. All those people in Lycurgus when they should hear in the morning. His mother eventually, everybody. Where was Sondra now? For Mason had told her, of course, and all those others, when he had gone back to secure his things. And they knew him now for what he was—a plotter of murder! Only, only, if somebody could only know how it had all come about! If Sondra, his mother, any one, could truly see!

Perhaps if he were to explain all to this man Mason now, before it all went any further, exactly how it all had happened. But that meant a true explanation as to his plot, his real original intent, that camera, his swimming away. That unintended blow—(and who was going to believe him as to that)—his hiding the tripod afterwards. Besides once all that was known would he not be done for just the same in connection with Sondra, the Griffiths—everybody. And very likely prosecuted and executed for murder just the same. Oh, heavens—murder. And to be tried for that now; this terrible crime against her proved. They would electrocute him just the same—wouldn't they? And then the full horror of that coming upon him,—death, possibly—and for murder—he sat there quite still. Death! God! If only he had not left those letters written him by Roberta and his mother in his room there at Mrs. Peyton's. If only he had removed his trunk to another room, say, before he left. Why hadn't he thought of that? Yet as instantly thinking, might not that have been a mistake, too, being seemingly a suspicious thing to have done then? But how came they to know where he was from and what his name was? Then, as instantly returning in mind to the letters in the trunk. For, as he now recalled, in one of those letters from his mother she had mentioned that affair in Kansas City, and Mason would come to know of that. If only he had destroyed them. Roberta's, his mother's, all! Why hadn't he? But not being able to answer why—just an insane desire to keep things maybe—anything that related to him—a kindness, a tenderness toward him. If only he had not worn that second straw hat—had not met those three men in the woods! God! He might have known they would be able to trace him in some way. If only he had gone on in that wood at Bear Lake, taking his suit case and Sondra's letters with him. Perhaps, perhaps, who knows, in Boston, or New York, or somewhere he might have hidden away.

Unstrung and agonized, he was unable to sleep at all, but walked back and forth, or sat on the side of the hard and strange cot, thinking, thinking. And at dawn, a bony, aged, rheumy jailer, in a baggy, worn, blue uniform, bearing a black, iron tray, on which was a tinful of coffee, some bread and a piece of ham with one egg. And looking curiously and yet somehow indifferently at Clyde, while he forced it through an aperture only wide and high enough for its admission, though Clyde wanted nothing at all.

And then later Kraut and Sissell and Swenk, and eventually the sheriff himself, each coming separately, to look in and say:

"Well, Griffiths, how are you this morning?" or, "Hello, anything we can do for you?", while their eyes showed the astonishment, disgust, suspicion or horror with which his assumed crime had filled them. Yet, even in the face of that, having one type of interest and even sycophantic pride in his presence here. For was he not a Griffiths—a member of the well-known social group of the big central cities to the south of here. Also the same to them, as well as to the enormously fascinated public outside, as a trapped and captured animal, taken in their legal net by their own superlative skill and now held as witness to it? And with the newspapers and people certain to talk, enormous publicity for them—their pictures in the papers as well as his, their names persistently linked with his.

And Clyde, looking at them between the bars, attempted to be civil, since he was now in their hands and they could do with him as they would.

CHAPTER XI

IN connection with the autopsy and its results there was a decided set-back. For while the joint report of the five doctors showed, "An injury to the mouth and nose; the tip of the nose appears to have been slightly flattened, the lips swollen, one front tooth slightly loosened, and an abrasion of the mucous membrane within the lips"—all agreed that these injuries were by no means fatal. The chief injury was to the skull (the very thing which Clyde in his first confession had maintained), which appeared to have been severely bruised by a blow of "some sharp instrument," unfortunately, in this instance, because of the heaviness of the blow of the boat, "signs of fracture and internal hæmorrhage which might have produced death."

But—the lungs when placed in water, sinking—an absolute proof that Roberta could not have been dead when thrown into the water, but alive and drowning, as Clyde had maintained. And no other signs of violence or struggle, although her arms and fingers appeared to be set in such a way as to indicate that she might have been reaching or seeking to grasp something. The wale of the boat? Could that be? Might Clyde's story, after all, conceal a trace of truth? Certainly these circumstances seemed to favor him a little. Yet as Mason and the others agreed, all these circumstances most distinctly seemed to prove that although he might not have slain her outright before throwing her into the water, none the less he had struck her and then had thrown her, perhaps unconscious, into the water.

But with what? If he could but make Clyde say that!

And then an inspiration! He would take Clyde and, although the law specifically guaranteed accused persons against compulsion, compel him to retrace the scenes of his crime. And although he might not be able to make him commit himself in any way, still, once on the ground and facing the exact scene of his crime, his actions might reveal something of the whereabouts of the suit, perhaps, or possibly some instrument with which he had struck her.

And in consequence, on the third day following Clyde's incarceration, a second visit to Big Bittern, with Kraut, Heit,

Mason, Burton, Burleigh, Earl Newcomb and Sheriff Slack as his companions, and a slow re-canvassing of all the ground he had first traveled on that dreadful day. And with Kraut, following instructions from Mason, "playing up" to him, in order to ingratiate himself into his good graces, and possibly cause him to make a clean breast of it. For Kraut was to argue that the evidence, so far was so convincing that you "never would get a jury to believe that you didn't do it," but that, "if you would talk right out to Mason, he could do more for you with the judge and the governor than any one could—get you off, maybe, with life or twenty years, while this way you're likely to get the chair, sure."

Yet Clyde, because of that same fear that had guided him at Bear Lake, maintaining a profound silence. For why should he say that he had struck her, when he had not—intentionally at least? Or with what, since no thought of the camera had come up as yet.

At the lake, after definite measurements by the county surveyor as to the distance from the spot where Roberta had drowned to the spot where Clyde had landed, Earl Newcomb suddenly returning to Mason with an important discovery. For under a log not so far from the spot at which Clyde had stood to remove his wet clothes, the tripod he had hidden, a little rusty and damp, but of sufficient weight, as Mason and all these others were now ready to believe, to have delivered the blow upon Roberta's skull which had felled her and so make it possible for him to carry her to the boat and later drown her. Yet, confronted with this and turning paler than before, Clyde denying that he had a camera or a tripod with him, although Mason was instantly deciding that he would re-question all witnesses to find out whether any recalled seeing a tripod or camera in Clyde's possession.

And before the close of this same day learning from the guide who had driven Clyde and Roberta over, as well as the boatman who had seen Clyde drop his bag into the boat, and a young waitress at Grass Lake who had seen Clyde and Roberta going out from the inn to the station on the morning of their departure from Grass Lake, that all now recalled a "yellow bundle of sticks," fastened to his bag which must have been the very tripod.

And then Burton Burleigh deciding that it might not really have been the tripod, after all with which he had struck her but possibly and even probably the somewhat heavier body of the camera itself, since an edge of it would explain the wound on the top of the head and the flat surface would well explain the general wounds on her face. And because of this conclusion, without

any knowledge on the part of Clyde, however, Mason securing divers from among the woodsmen of the region and setting them to diving in the immediate vicinity of the spot where Roberta's body had been found, with the result that after an entire day's diving on the part of six—and because of a promised and substantial reward, one Jack Bogart arose with the very camera which Clyde, as the boat had turned over, had let fall. Worse, after examination it proved to contain a roll of films, which upon being submitted to an expert chemist for development, showed finally to be a series of pictures of Roberta, made on shore—one sitting on a log, a second posed by the side of the boat on shore, a third reaching up toward the branches of a tree—all very dim and water-soaked but still decipherable. And the exact measurements of the broadest side of the camera corresponding in a general way to the length and breadth of the wounds upon Roberta's face, which caused it now to seem positive that they had discovered the implement wherewith Clyde had delivered the blows.

Yet no trace of blood upon the camera itself. And none upon the side or bottom of the boat, which had been brought to Bridgeburg for examination. And none upon the rug which had lain in the bottom of the boat.

In Burton Burleigh there existed as sly a person as might have been found in a score of such backwoods counties as this, and soon he found himself meditating on how easy it would be, supposing irrefragable evidence were necessary, for him or any one to cut a finger and let it bleed on the rug or the side of the boat or the edge of the camera. Also, how easy to take from the head of Roberta two or three hairs and thread them between the sides of the camera, or about the row-lock to which her veil had been attached. And after due and secret meditation, he actually deciding to visit the Lutz Brothers morgue and secure a few threads of Roberta's hair. For he himself was convinced that Clyde had murdered the girl in cold blood. And for want of a bit of incriminating proof, was such a young, silent, vain crook as this to be allowed to escape? Not if he himself had to twine the hairs about the rowlock or inside the lid of the camera, and then call Mason's attention to them as something overlooked!

And in consequence, upon the same day that Heit and Mason were personally re-measuring the wounds upon Roberta's face and head, Burleigh slyly threading two of Roberta's hairs in between the door and the lens of the camera, so that Mason and Heit a little while later unexpectedly coming upon them, and wondering why they had not seen them before—nevertheless

accepting them immediately as conclusive evidence of Clyde's guilt. Indeed, Mason thereupon announcing that in so far as he was concerned, his case was complete. He had truly traced out every step in this crime and if need be was prepared to go to trial on the morrow.

Yet, because of the very completeness of the testimony, deciding for the present, at least, not to say anything in connection with the camera—to seal, if possible, the mouth of every one who knew. For, assuming that Clyde persisted in denying that he had carried a camera, or that his own lawyer should be unaware of the existence of such evidence, then how damning in court, and out of a clear sky, to produce this camera, these photographs of Roberta made by him, and the proof that the very measurements of one side of the camera coincided with the size of the wounds upon her face! How complete! How incriminating!

Also since he personally having gathered the testimony was the one best fitted to present it, he decided to communicate with the governor of the state for the purpose of obtaining a special term of the Supreme Court for this district, with its accompanying special session of the local grand jury, which would then be subject to his call at any time. For with this granted, he would be able to impanel a grand jury and in the event of a true bill being returned against Clyde, then within a month or six weeks, proceed to trial. Strictly to himself, however, he kept the fact that in view of his own approaching nomination in the ensuing November election this should all prove most opportune, since in the absence of any such special term the case could not possibly be tried before the succeeding regular January term of the Supreme Court, by which time he would be out of office and although possibly elected to the local judgeship still not able to try the case in person. And in view of the state of public opinion, which was most bitterly and vigorously anti-Clyde, a quick trial would seem fair and logical to every one in this local world. For why delay? Why permit such a criminal to sit about and speculate on some plan of escape? And especially when his trial by him, Mason, was certain to rebound to his legal and political and social fame the country over.

CHAPTER XII

AND then out of the north woods a crime sensation of the first magnitude, with all of those intriguingly colorful, and yet morally and spiritually atrocious, elements—love, romance, wealth, poverty, death. And at once picturesque accounts of where and how Clyde had lived in Lycurgus, with whom he had been connected, how he had managed to conceal his relations with one girl while obviously planning to elope with another—being wired for and published by that type of editor so quick to sense the national news value of crimes such as this. And telegrams of inquiry pouring in from New York, Chicago, Boston, Philadelphia, San Francisco and other large American cities east and west, either to Mason direct or the representatives of the Associated or United Press in this area, asking for further and more complete details of the crime. Who was this beautiful wealthy girl with whom it was said this Griffiths was in love? Where did she live? What were Clyde's exact relations with her? Yet Mason, over-awed by the wealth of the Finchleys and the Griffiths, loath to part with Sondra's name, simply asserting for the present that she was the daughter of a very wealthy manufacturer in Lycurgus, whose name he did not care to furnish—yet not hesitating to show the bundle of letters carefully tied with a ribbon by Clyde.

But Roberta's letters on the other hand being described in detail,—even excerpts of some of them—the more poetic and gloomy being furnished the Press for use, for who was there to protect her. And on their publication a wave of hatred for Clyde as well as a wave of pity for her—the poor, lonely, country girl who had had no one but him—and he cruel, faithless,—a murderer even. Was not hanging too good for him? For en-route to and from Bear Lake, as well as since, Mason had pored over these letters. And because of certain intensely moving passages relating to her home life, her gloomy distress as to her future, her evident loneliness and weariness of heart, he had been greatly moved, and later had been able to convey this feeling to others—his wife and Heit and the local newspapermen. So much so that the latter in particular were sending from

Bridgeburg vivid, if somewhat distorted, descriptions of Clyde, his silence, his moodiness, and his hard-heartedness.

And then a particularly romantic young reporter from *The Star,* of Utica arriving at the home of the Aldens, there was immediately given to the world a fairly accurate picture of the weary and defeated Mrs. Alden, who, too exhausted to protest or complain, merely contented herself with a sincere and graphic picture of Roberta's devotion to her parents, her simple ways of living, her modesty, morality, religious devotion—how once the local pastor of the Methodist Church had said that she was the brightest and prettiest and kindest girl he had ever known, and how for years before leaving home she had been as her mother's own right hand. And that undoubtedly because of her poverty and loneliness in Lycurgus, she had been led to listen to the honeyed words of this scoundrel, who, coming to her with promises of marriage, had lured her into this unhallowed and, in her case, all but unbelievable relationship which had led to her death. For she was good and pure and sweet and kind always. "And to think that she is dead. I can't believe it."

It was so that her mother was quoted.

"Only Monday a week ago she was about—a little depressed, I thought, but smiling, and for some reason which I thought odd at the time went all over the place Monday afternoon and evening, looking at things and gathering some flowers. And then she came over and put her arms around me and said: 'I wish I were a little girl again, mamma, and that you would take me in your arms and rock me like you used to.' And I said, 'Why, Roberta, what makes you so sad to-night, anyhow?' And she said, 'Oh, nothing. You know I'm going back in the morning. And somehow I feel a little foolish about it to-night.' And to think that it was this trip that was in her mind. I suppose she had a premonition that all would not work out as she had planned. And to think he struck my little girl, she who never could harm anything, not even a fly." And here, in spite of herself, and with the saddened Titus in the background, she began to cry silently.

But from the Griffiths and other members of this local social world, complete and almost unbreakable silence. For in so far as Samuel Griffiths was concerned, it was impossible for him at first either to grasp or believe that Clyde could be capable of such a deed. What! That bland and rather timid and decidedly gentlemanly youth, as he saw him, charged with murder? Being rather far from Lycurgus at the time—Upper Saranac—where he was reached with difficulty by Gilbert,—he was almost

unprepared to think, let alone act. Why, how impossible! There must be some mistake here. They must have confused Clyde with some one else.

Nevertheless, Gilbert proceeding to explain that it was unquestionably true, since the girl had worked in the factory under Clyde, and the district attorney at Bridgeburg with whom he had already been in communication had assured him that he was in possession of letters which the dead girl had written to Clyde and that Clyde did not attempt to deny them.

"Very well, then," countered Samuel. "Don't act hastily, and above all, don't talk to any one outside of Smillie or Gotboy until I see you. Where's Brookhart?"—referring to Darrah Brookhart, of counsel for Griffiths & Company.

"He's in Boston to-day," returned his son. "I think he told me last Friday that he wouldn't be back here until Monday or Tuesday."

"Well, wire him that I want him to return at once. Incidentally, have Smillie see if he can arrange with the editors of *The Star* and *Beacon* down there to suspend any comment until I get back. I'll be down in the morning. Also tell him to get in the car and run up there" (Bridgeburg) "to-day if he can. I must know from first hand all there is to know. Have him see Clyde if he can, also this district attorney, and bring down any news that he can get. And all the newspapers. I want to see for myself what has been published."

And at approximately the same time, in the home of the Finchleys on Fourth Lake, Sondra herself, after forty-eight hours of most macerating thoughts spent brooding on the astounding climax which had put a period to all her girlish fancies in regard to Clyde, deciding at last to confess all to her father, to whom she was more drawn than to her mother. And accordingly approaching him in the library, where usually he sat after dinner, reading or considering his various affairs. But having come within earshot of him, beginning to sob, for truly she was stricken in the matter of her love for Clyde, as well as her various vanities and illusions in regard to her own high position, the scandal that was about to fall on her and her family. Oh, what would her mother say now, after all her warnings? And her father? And Gilbert Griffiths and his affianced bride? And the Cranstons, who except for her influence over Bertine, would never have been drawn into this intimacy with Clyde?

Her sobs arresting her father's attention, he at once paused to look up, the meaning of this quite beyond him. Yet instantly sensing something very dreadful, gathering her up in his arms,

and consolingly murmuring: "There, there! For heaven's sake, what's happened to my little girl now? Who's done what and why?" And then, with a decidedly amazed and shaken expression, listening to a complete confession of all that had occurred thus far—the first meeting with Clyde, her interest in him, the attitude of the Griffiths, her letters, her love, and then this—this awful accusation and arrest. And if it were true! And her name were used, and her daddy's! And once more she fell to weeping as though her heart would break, yet knowing full well that in the end she would have her father's sympathy and forgiveness, whatever his subsequent suffering and mood.

And at once Finchley, accustomed to peace and order and tact and sense in his own home, looking at his daughter in an astounded and critical and yet not uncharitable way, and exclaiming: "Well, well, of all things! Well, I'll be damned! I am amazed, my dear! I am astounded! This is a little too much, I must say. Accused of murder! And with letters of yours in your own handwriting, you say, in his possession, or in the hands of this district attorney, for all we know by now. Tst! Tst! Tst! Damned foolish, Sondra, damned foolish! Your mother has been talking to me for months about this, and you know I was taking your word for it against hers. And now see what's happened! Why couldn't you have told me or listened to her? Why couldn't you have talked all this over with me before going so far? I thought we understood each other, you and I. Your mother and I have always acted for your own good, haven't we? You know that. Besides, I certainly thought you had better sense. Really, I did. But a murder case, and you connected with it! My God!"

He got up, a handsome blond man in carefully made clothes, and paced the floor, snapping his fingers irritably, while Sondra continued to weep. Suddenly, ceasing his walking, he turned again toward her and resumed with: "But, there, there! There's no use crying over it. Crying isn't going to fix it. Of course, we may be able to live it down in some way. I don't know. I don't know. I can't guess what effect this is likely to have on you personally. But one thing is sure. We do want to know something about those letters."

And forthwith, and while Sondra wept on, he proceeded first to call his wife in order to explain the nature of the blow—a social blow that was to lurk in her memory as a shadow for the rest of her years—and next to call up Legare Atterbury, lawyer, state senator, chairman of the Republican State Central Committee and his own private counsel for years past, to whom he ex-

plained the amazing difficulty in which his daughter now found herself. Also to inquire what was the most advisable thing to be done.

"Well, let me see," came from Atterbury, "I wouldn't worry very much if I were you, Mr. Finchley. I think I can do something to straighten this out for you before any real public damage is done. Now, let me see. Who is the district attorney of Cataraqui County, anyhow? I'll have to look that up and get in touch with him and call you back. But never mind, I promise you I'll be able to do something—keep the letters out of the papers, anyhow. Maybe out of the trial—I'm not sure—but I am sure I can fix it so that her name will not be mentioned, so don't worry."

And then Atterbury in turn calling up Mason, whose name he found in his lawyers' directory, and at once arranging for a conference with him, since Mason seemed to think that the letters were most vital to his case, although he was so much overawed by Atterbury's voice that he was quick to explain that by no means had he planned as yet to use publicly the name of Sondra or the letters either, but rather to reserve their actuality for the private inspection of the grand jury, unless Clyde should choose to confess and avoid a trial.

But Atterbury, after referring back to Finchley and finding him opposed to any use of the letters whatsoever, or Sondra's name either, assuring him that on the morrow or the day after he would himself proceed to Bridgeburg with some plans and political information which might cause Mason to think twice before he so much as considered referring to Sondra in any public way.

And then after due consideration by the Finchley family, it was decided that at once, and without explanation or apology to any one, Mrs. Finchley, Stuart and Sondra should leave for the Maine coast or any place satisfactory to them. Finchley himself proposed to return to Lycurgus and Albany. It was not wise for any of them to be about where they could be reached by reporters or questioned by friends. And forthwith, a hegira of the Finchleys to Narragansett, where under the name of Wilson they secluded themselves for the next six weeks. Also, and because of the same cause the immediate removal of the Cranstons to one of the Thousand Islands, where there was a summer colony not entirely unsatisfactory to their fancy. But on the part of the Baggotts and the Harriets, the contention that they were not sufficiently incriminated to bother and so remaining exactly where they were at Twelfth Lake. But all talking

of Clyde and Sondra—this horrible crime and the probable social destruction of all those who had in any way been thus innocently defiled by it.

And in the interim, Smillie, as directed by Griffiths, proceeding to Bridgeburg, and after two long hours with Mason, calling at the jail to see Clyde. And because of authorization from Mason being permitted to see him quite alone in his cell. Smillie having explained that it was not the intention of the Griffiths to try to set up any defense for Clyde, but rather to discover whether under the circumstances there was a possibility for a defense, Mason had urged upon him the wisdom of persuading Clyde to confess, since, as he insisted, there was not the slightest doubt as to his guilt, and a trial would but cost the county money without result to Clyde—whereas if he chose to confess, there might be some undeveloped reasons for clemency—at any rate, a great social scandal prevented from being aired in the papers.

And thereupon Smillie proceeding to Clyde in his cell where brooding most darkly and hopelessly he was wondering how to do. Yet at the mere mention of Smillie's name shrinking as though struck. The Griffiths—Samuel Griffiths and Gilbert! Their personal representative. And now what would he say? For no doubt, as he now argued with himself, Smillie, having talked with Mason, would think him guilty. And what was he to say now? What sort of a story tell—the truth or what? But without much time to think, for even while he was trying to do so Smillie had been ushered into his presence. And then moistening his dry lips with his tongue, he could only achieve, "Why, how do you do, Mr. Smillie?" to which the latter replied, with a mock geniality, "Why, hello, Clyde, certainly sorry to see you tied up in a place like this." And then continuing: "The papers and the district attorney over here are full of a lot of stuff about some trouble you're in, but I suppose there can't be much to it—there must be some mistake, of course. And that's what I'm up here to find out. Your uncle telephoned me this morning that I was to come up and see you to find out how they come to be holding you. Of course, you can understand how they feel down there. So they wanted me to come up and get the straight of it so as to get the charge dismissed, if possible—so now if you'll just let me know the ins and outs of this—you know—that is——"

He paused there, confident because of what the district attorney had just told him, as well as Clyde's peculiarly nervous and recessive manner, that he would not have very much that was exculpatory to reveal.

And Clyde, after moistening his lips once more, beginning with: "I suppose things do look pretty bad for me, Mr. Smillie. I didn't think at the time that I met Miss Alden that I would ever get into such a scrape as this. But I didn't kill her, and that's the God's truth. I never even wanted to kill her or take her up to that lake in the first place. And that's the truth, and that's what I told the district attorney. I know he has some letters from her to me, but they only show that she wanted me to go away with her—not that I wanted to go with her at all——"

He paused, hoping that Smillie would stamp this with his approval of faith. And Smillie, noting the agreement between his and Mason's assertions, yet anxious to placate him, returned: "Yes, I know. He was just showing them to me."

"I knew he would," continued Clyde, weakly. "But you know how it is sometimes, Mr. Smillie," his voice, because of his fears that the sheriff or Kraut were listening, pitched very low. "A man can get in a jam with a girl when he never even intended to at first. You know that yourself. I did like Roberta at first, and that's the truth, and I did get in with her just as those letters show. But you know that rule they have down there, that no one in charge of a department can have anything to do with any of the women under him. Well, that's what started all the trouble for me, I guess. I was afraid to let any one know about it in the first place, you see."

"Oh, I see."

And so by degrees, and growing less and less tense as he proceeded, since Smillie appeared to be listening with sympathy, he now outlined most of the steps of his early intimacy with Roberta, together with his present defense. But with no word as to the camera, or the two hats or the lost suit, which things were constantly and enormously troubling him. How could he ever explain these, really? And with Smillie at the conclusion of this and because of what Mason had told him, asking: "But what about those two hats, Clyde? This man over here was telling me that you admit to having two straw hats—the one found on the lake and the one you wore away from there."

And Clyde, forced to say something, yet not knowing what, replying: "But they're wrong as to my wearing a straw hat away from there, Mr. Smillie, it was a cap."

"I see. But still you did have a straw hat up at Bear Lake, he tells me."

"Yes, I had one there, but as I told him, that was the one I

had with me when I went up to the Cranstons' the first time. I told him that. I forgot it and left it there."

"Oh, I see. But now there was something about a suit—a gray one, I believe—that he says you were seen wearing up there but that he can't find now? Were you wearing one?"

"No. I was wearing the blue suit I had on when I came down here. They've taken that away now and given me this one."

"But he says that you say you had it dry-cleaned at Sharon, but that he can't find any one there who knows anything about it. How about that? Did you have it dry-cleaned there?"

"Yes, sir."

"By whom?"

"Well, I can't just remember now. But I think I can find the man if I were to go up there again—he's near the depot," but at the same time looking down and away from Smillie.

And then Smillie, like Mason before him, proceeding to ask about the bag in the boat, and whether it had not been possible, if he could swim to shore with his shoes and suit on, for him to have swam to Roberta and assisted her to cling to the overturned boat. And Clyde explaining, as before, that he was afraid of being dragged down, but adding now, for the first time, that he had called to her to hang on to the boat, whereas previously he had said that the boat had drifted away from them. And Smillie recalled that Mason had told him this. Also, in connection with Clyde's story of the wind blowing his hat off, Mason had said he could prove by witnesses, as well as the U. S. Government reports, that there was not a breath of air stirring on that most halcyon day. And so, plainly, Clyde was lying. His story was too thin. Yet Smillie, not wishing to embarrass him, kept saying: "Oh, I see," or, "To be sure," or "That's the way it was, was it?"

And then finally asking about the marks on Roberta's face and head. For Mason had called his attention to them and insisted that no one blow from a boat would make both abrasions. But Clyde sure that the boat had only struck her once and that all the bruises had come from that or else he could not guess from what they had come. But then beginning to see how hopeless was all this explanation. For it was so plain from his restless, troubled manner that Smillie did not believe him. Quite obviously he considered his not having aided Roberta as dastardly —a thin excuse for letting her die.

And so, too weary and disheartened to lie more, finally ceasing. And Smillie, too sorry and disturbed to wish to cathechize or confuse him further, fidgeting and fumbling and

finally declaring: "Well, I'm afraid I'll have to be going now, Clyde. The roads are pretty bad between here and Sharon. But I've been mighty glad to hear your side of it. And I'll present it to your uncle just as you have told it to me. But in the meantime, if I were you, I wouldn't do any more talking than I could help—not until you hear further from me. I was instructed to find an attorney up here to handle this case for you, if I could, but since it's late and Mr. Brookhart, our chief counsel, will be back to-morrow, I think I'll just wait until I can talk to him. So if you'll take my advice, you'll just not say anything until you hear from him or me. Either he'll come or he'll send some one—he'll bring a letter from me, whoever he is, and then he'll advise you."

And with this parting admonition, leaving Clyde to his thoughts and himself feeling no least doubt of his guilt and that nothing less than the Griffiths' millions, if so they chose to spend them, could save him from a fate which was no doubt due him.

CHAPTER XIII

AND then on the following morning Samuel Griffiths, with his own son Gilbert standing by, in the large drawing room of their Wykeagy Avenue mansion, listening to Smillie's report of his conference with Clyde and Mason. And Smillie reporting all he had heard and seen. And with Gilbert Griffiths, unbelievably shaken and infuriated by all this, exclaiming at one point:

"Why, the little devil! The little beast! But what did I tell you, dad? Didn't I warn you against bringing him on?"

And Samuel Griffiths after meditating on this reference to his earlier sympathetic folly now giving Gilbert a most suggestive and intensely troubled look, which said: Are we here to discuss the folly of my original, if foolish, good intentions, or the present crisis? And Gilbert thinking: The murderer! And that wretched little show-off, Sondra Finchley, trying to make something of him in order to spite me, Gilbert, principally, and so getting herself smirched. The little fool! But it served her right. She would get her share of this now. Only it would cause him and his father and all of them infinite trouble also. For was this not an ineradicable stain which was likely to defile all—himself, his fiancée, Bella, Myra, his parents—and perhaps cost them their position here in Lycurgus society? The tragedy! Maybe an execution! And in this family!

Yet Samuel Griffiths, on his part, going back in his mind to all that had occurred since Clyde had arrived in Lycurgus.

His being left to work in that basement at first and ignored by the family. Left to his own devices for fully eight months. Might not that have been at least a contributing cause to all this horror? And then being put over all those girls! Was not that a mistake? He could see all this now clearly, although by no means condoning Clyde's deed in any way—far from it. The wretchedness of such a mind as that—the ungoverned and carnal desires! The uncontrollable brutality of seducing that girl and then because of Sondra—the pleasant, agreeable little Sondra —plotting to get rid of her! And now in jail, and offering no better explanation of all the amazing circumstances, as reported

by Smillie, than that he had not intended to kill her at all—had not even plotted to do so—that the wind had blown his hat off! How impossibly weak! And with no suitable explanation for the two hats, or the missing suit, or of not going to the aid of the drowning girl. And those unexplained marks on her face. How strongly all these things pointed to his guilt.

"For God's sake," exclaimed Gilbert, "hasn't he anything better than that to offer, the little fool!" And Smillie replied that that was all he could get him to say, and that Mr. Mason was absolutely and quite dispassionately convinced of his guilt. "Dreadful! Dreadful!" put in Samuel. "I really can't grasp it yet. I can't! It doesn't seem possible that any one of my blood could be guilty of such a thing!" And then getting up and walking the floor in real and crushing distress and fear. His family! Gilbert and his future! Bella, with all her ambitions and dreams! And Sondra! And Finchley!

He clinched his hands. He knitted his brows and tightened his lips. He looked at Smillie, who, immaculate and sleek, showed nevertheless the immense strain that was on him, shaking his head dismally whenever Griffiths looked at him.

And then after nearly an hour and a half more of such questioning and requestioning as to the possibility of some other interpretation than the data furnished by Smillie would permit, Griffiths, senior, pausing and declaring: "Well, it does look bad, I must say. Still, in the face of what you tell me, I can't find it in me to condemn completely without more knowledge than we have here. There may be some other facts not as yet come to light—he won't talk, you say, about most things—some little details we don't know about—some slight excuse of some kind—for without that this does appear to be a most atrocious crime. Has Mr. Brookhart got in from Boston?"

"Yes, sir, he's here," replied Gilbert. "He telephoned Mr. Smillie."

"Well, have him come out here at two this afternoon to see me. I'm too tired to talk more about this right now. Tell him all that you have told me, Smillie. And then come back here with him at two. It may be that he will have some suggestion to make that will be of value to us, although just what I can't see. Only one thing I want to say—I hope he isn't guilty. And I want every proper step taken to discover whether he is or not, and if not, to defend him to the limit of the law. But no more than that. No trying to save anybody who is guilty of such a thing as this—no, no, no!—not even if he is my nephew! Not me! I'm not that kind of a man! Trouble or no trouble—

disgrace or no disgrace—I'll do what I can to help him if he's innocent—if there's even the faintest reason for believing so. But guilty? No! Never! If this boy is really guilty, he'll have to take the consequences. Not a dollar—not a penny—of my money will I devote to any one who could be guilty of such a crime, even if he is my nephew!"

And turning and slowly and heavily moving toward the rear staircase, while Smillie, wide-eyed, gazed after him in awe. The power of him! The decision of him! The fairness of him in such a deadly crisis! And Gilbert equally impressed, also sitting and staring. His father was a man, really. He might be cruelly wounded and distressed, but, unlike himself, he was neither petty nor revengeful.

And next Mr. Darrah Brookhart, a large, well-dressed, well-fed, ponderous and cautious corporation lawyer, with one eye half concealed by a drooping lid and his stomach rather protuberant, giving one the impression of being mentally if not exactly physically suspended, balloon-wise, in some highly rarefied atmosphere where he was moved easily hither and yon by the lightest breath of previous legal interpretations or decisions of any kind. In the absence of additional facts, the guilt of Clyde (to him) seemed obvious. Or, waiving that, as he saw it after carefully listening to Smillie's recounting of all the suspicious and incriminating circumstances, he would think it very difficult to construct an even partially satisfactory defense, unless there were some facts favoring Clyde which had not thus far appeared. Those two hats, that bag—his slipping away like that. Those letters. But he would prefer to read them. For upon the face of the data so far, unquestionably public sentiment would be all against Clyde and in favor of the dead girl and her poverty and her class, a situation which made a favorable verdict in such a backwoods county seat as Bridgeburg almost impossible. For Clyde, although himself poor, was the nephew of a rich man and hitherto in good standing in Lycurgus society. That would most certainly tend to prejudice country-born people against him. It would probably be better to ask for a change of venue so as to nullify the force of such a prejudice.

On the other hand, without first sending a trained cross-examiner to Clyde—one, who being about to undertake the defense should be able to extract the facts from him on the plea that on his truthful answers depended his life—he would not be able to say whether there was any hope or not. In his office was a certain Mr. Catchuman, a very able man, who might be sent on such a mission and on whose final report one could base

a reasonable opinion. However, there were now various other aspects of such a case as this which, in his estimation, needed to be carefully looked into and decided upon. For, of course, as Mr. Griffiths and his son so well knew, in Utica, New York City, Albany (and now that he came to think of it, more particularly in Albany, where were two brothers, Canavan & Canavan, most able if dubious individuals), there were criminal lawyers deeply versed in the abstrusities and tricks of the criminal law. And any of them—no doubt—for a sufficient retainer, and irrespective of the primary look of a situation of this kind, might be induced to undertake such a defense. And, no doubt, via change of venue, motions, appeals, etc., they might and no doubt would be able to delay and eventually effect an ultimate verdict of something less than death, if such were the wish of the head of this very important family. On the other hand, there was the undeniable fact that such a hotly contested trial as this would most assuredly prove to be would result in an enormous amount of publicity, and did Mr. Samuel Griffiths want that? For again, under such circumstances, was it not likely to be said, if most unjustly, of course, that he was using his great wealth to frustrate justice? The public was so prejudiced against wealth in such cases. Yet, some sort of a defense on the part of the Griffiths would certainly be expected by the public, whether subsequently the same necessity for such defense was criticized by them or not.

And in consequence, it was now necessary for Mr. Griffiths and his son to decide how they would prefer to proceed—whether with very distinguished criminal lawyers such as the two he had just named, or with less forceful counsel, or none. For, of course, it would be possible, and that quite inconspicuously, to supply Clyde with a capable and yet thoroughly conservative trial lawyer—some one residing and practising in Bridgeburg possibly —whose duty it would be to see that all blatant and unjustified reference to the family on the part of the newspapers was minimized.

And so, after three more hours of conference, it was finally decided by Samuel himself that at once Mr. Brookhart was to despatch his Mr. Catchuman to Bridgeburg to interview Clyde, and thereafter, whatever his conclusions as to his guilt or innocence, he was to select from the local array of legal talent—for the present, anyhow—such a lawyer as would best represent Clyde fairly. Yet with no assurances of means or encouragement to do more than extract from Clyde the true details of his relationship to this charge. And those once ascertained to center upon such

a defense as would most honestly tend to establish only such facts as were honestly favorable to Clyde—in short, in no way, either by legal chicane or casuistry or trickery of any kind, to seek to establish a false innocence and so defeat the ends of justice.

CHAPTER XIV

MR. CATCHUMAN did not prove by any means to be the one to extract from Clyde anything more than had either Mason or Smillie. Although shrewd to a degree in piecing together out of the muddled statements of another such data as seemed most probable, still he was not so successful in the realm of the emotions, as was necessary in the case of Clyde. He was too legal, chilling—unemotional. And in consequence, after grilling Clyde for four long hours one hot July afternoon, he was eventually compelled to desist with the feeling that as a plotter of crime Clyde was probably the most arresting example of feeble and blundering incapacity he had ever met.

For since Smillie's departure Mason had proceeded to the shores of Big Bittern with Clyde. And there discovered the tripod and camera. Also listened to more of Clyde's lies. And as he now explained to Catchuman that, while Clyde denied owning a camera, nevertheless he had proof that he did own one and had taken it with him when he left Lycurgus. Yet when confronted with this fact by Catchuman, as the latter now noticed, Clyde had nothing to say other than that he had not taken a camera with him and that the tripod found was not the one belonging to any camera of his—a lie which so irritated Catchuman that he decided not to argue with him further.

At the same time, however, Brookhart having instructed him that, whatever his personal conclusions in regard to Clyde, a lawyer of sorts was indispensable—the charity, if not the honor, of the Griffiths being this much involved, the western Griffiths, as Brookhart had already explained to him, having nothing and not being wanted in the case anyhow—he decided that he must find one before leaving. In consequence, and without any knowledge of the local political situation, he proceeded to the office of Ira Kellogg, president of the Cataraqui County National Bank, who, although Catchuman did not know it, was high in the councils of the Democratic organization. And because of his religious and moral views, this same Kellogg was already highly incensed and irritated by the crime of which Clyde was accused. On the other hand, however, because as he well

knew this case was likely to pave the way for an additional Republican sweep at the approaching primaries, he was not blind to the fact that some reducing opposition to Mason might not be amiss. Fate seemed too obviously to be favoring the Republican machine in the person of and crime committed by Clyde.

For since the discovery of this murder, Mason had been basking in such publicity and even nation-wide notoriety as had not befallen any district attorney of this region in years and years. Newspaper correspondents and reporters and illustrators from such distant cities as Buffalo, Rochester, Chicago, New York and Boston, were already arriving as everybody knew or saw, to either interview or make sketches or take photos of Clyde, Mason, the surviving members of the Alden family, et cetera, while locally Mason was the recipient of undiluted praise, even the Democratic voters in the county joining with the Republicans in assuring each other that Mason was all right, that he was handling this young murderer in the way that he deserved to be handled, and that neither the wealth of the Griffiths nor of the family of that rich girl whom he appeared to have been trying to capture, was influencing this young tribune of the people in the least. He was a real attorney. He had not "allowed any grass to grow under his feet, you bet."

Indeed previous to Catchuman's visit, a coroner's jury had been called, with Mason attending and directing even, the verdict being that the dead girl had come to her death through a plot devised and executed by one Clyde Griffiths who was then and there in the county jail of Bridgeburg and that he be held to await the verdict of the County Grand Jury to whom his crime was soon to be presented. And Mason, through an appeal to the Governor, as all now knew was planning to secure a special sitting of the Supreme Court, which would naturally involve an immediate session of the County Grand Jury in order to hear the evidence and either indict or discharge Clyde. And now, Catchuman arriving to inquire where he was likely to find a local lawyer of real ability who could be trusted to erect some sort of a defense for Clyde. And immediately as an offset to all this there popped into Kellogg's mind the name and reputation of one Hon. Alvin Belknap, of Belknap and Jephson, of this same city—an individual who had been twice state senator, three times Democratic assemblyman from this region, and more recently looked upon by various Democratic politicians as one who would be favored with higher honors as soon as it was possible to arrange an issue which would permit the Democrats to enter into local office. In fact, only three years before, in a contest with

Mason for the district attorneyship, this same Belknap had run closer to victory than any other candidate on the Democratic ticket. Indeed, so rounded a man was he politically that this year he had been slated for that very county judgeship nomination which Mason had in view. And but for this sudden and most amazing development in connection with Clyde, it had been quite generally assumed that Belknap, once nominated, would be elected. And although Mr. Kellogg did not quite trouble to explain to Catchuman all the complicated details of this very interesting political situation, he did explain that Mr. Belknap was a very exceptional man, almost the ideal one, if one were looking for an opponent to Mason.

And with this slight introduction, Kellogg now offered personally to conduct Catchuman to Belknap and Jephson's office, just across the way in the Bowers Block.

And then knocking at Belknap's door, they were admitted by a brisk, medium-sized and most engaging-looking man of about forty-eight, whose gray-blue eyes at once fixed themselves in the mind of Catchuman as the psychic windows of a decidedly shrewd if not altogether masterful and broad-gauge man. For Belknap was inclined to carry himself with an air which all were inclined to respect. He was a college graduate, and in his youth because of his looks, his means, and his local social position (his father had been a judge as well as a national senator from here), he had seen so much of what might be called near-city life that all those gaucheries as well as sex-inhibitions and sex-longings which still so greatly troubled and motivated and even marked a man like Mason had long since been covered with an easy manner and social understanding which made him fairly capable of grasping any reasonable moral or social complication which life was prepared to offer.

Indeed he was one who naturally would approach a case such as Clyde's with less vehemence and fever than did Mason. For once, in his twentieth year, he himself had been trapped between two girls, with one of whom he was merely playing while being seriously in love with the other. And having seduced the first and being confronted with an engagement or flight, he had chosen flight. But not before laying the matter before his father, by whom he was advised to take a vacation, during which time the services of the family doctor were engaged with the result that for a thousand dollars and expenses necessary to house the pregnant girl in Utica, the father had finally extricated his son and made possible his return, and eventual marriage to the other girl.

And therefore, while by no means sympathizing with the more cruel and drastic phases of Clyde's attempt at escape—as so far charged (never in all the years of his law practice had he been able to grasp the psychology of a murderer) still because of the rumored existence and love influence of a rich girl whose name had not as yet been divulged he was inclined to suspect that Clyde had been emotionally betrayed or bewitched. Was he not poor and vain and ambitious? He had heard so: had even been thinking that he—the local political situation being what it was might advantageously to himself—and perhaps most disruptingly to the dreams of Mr. Mason be able to construct a defense—or at least a series of legal contentions and delays which might make it not so easy for Mr. Mason to walk away with the county judgeship as he imagined. Might it not, by brisk, legal moves now—and even in the face of this rising public sentiment, or because of it,—be possible to ask for a change of venue—or time to develop new evidence in which case a trial might not occur before Mr. Mason was out of office. He and his young and somewhat new associate, Mr. Reuben Jephson, of quite recently the state of Vermont, had been thinking of it.

And now Mr. Catchuman accompanied by Mr. Kellogg. And thereupon a conference with Mr. Catchuman and Mr. Kellogg, with the latter arguing quite politically the wisdom of his undertaking such a defense. And his own interest in the case being what it was, he was not long in deciding, after a conference with his younger associate, that he would. In the long run it could not possibly injure him politically, however the public might feel about it now.

And then Catchuman having handed over a retainer to Belknap as well as a letter introducing him to Clyde, Belknap had Jephson call up Mason to inform him that Belknap & Jephson, as counsel for Samuel Griffiths on behalf of his nephew, would require of him a detailed written report of all the charges as well as all the evidence thus far accumulated, the minutes of the autopsy and the report of the coroner's inquest. Also information as to whether any appeal for a special term of the Supreme Court had as yet been acted upon, and if so what judge had been named to sit, and when and where the Grand Jury would be gathered. Incidentally, he said, Messrs. Belknap and Jephson, having heard that Miss Alden's body had been sent to her home for burial, would request at once a counsel's agreement whereby it might be exhumed in order that other doctors now to be called by the defense might be permitted to examine it—a proposition

which Mason at once sought to oppose but finally agreed to rather than submit to an order from a Supreme Court judge.

These details having been settled, Belknap announced that he was going over to the jail to see Clyde. It was late and he had had no dinner, and might get none now, but he wanted to have a "heart to heart" with this youth, whom Catchuman informed him he would find very difficult. But Belknap, buoyed up as he was by his opposition to Mason, his conviction that he was in a good mental state to understand Clyde, was in a high degree of legal curiosity. The romance and drama of this crime! What sort of a girl was this Sondra Finchley, of whom he had already heard through secret channels? And could she by any chance be brought to Clyde's defense? He had already understood that her name was not to be mentioned—high politics demanding this. He was really most eager to talk to this sly and ambitious and futile youth.

However, on reaching the jail, and after showing Sheriff Slack a letter from Catchuman and asking as a special favor to himself that he be taken upstairs to some place near Clyde's cell in order that, unannounced, he might first observe Clyde, he was quietly led to the second floor and, the outside door leading to the corridor which faced Clyde's cell being opened for him, allowed to enter there alone. And then walking to within a few feet of Clyde's cell he was able to view him—at the moment lying face down on his iron cot, his arms above his head, a tray of untouched food standing in the aperture, his body sprawled and limp. For, since Catchuman's departure, and his second failure to convince any one of his futile and meaningless lies, he was more despondent than ever. In fact, so low was his condition that he was actually crying, his shoulders heaving above his silent emotion. At sight of this, and remembering his own youthful escapades, Belknap now felt intensely sorry for him. No soulless murderer, as he saw it, would cry.

Approaching Clyde's cell door, after a pause, he began with: "Come, come, Clyde! This will never do. You mustn't give up like this. Your case mayn't be as hopeless as you think. Wouldn't you like to sit up and talk to a lawyer fellow who thinks he might be able to do something for you? Belknap is my name—Alvin Belknap. I live right here in Bridgeburg and I have been sent over by that other fellow who was here a while ago—Catchuman, wasn't that his name? You didn't get along with him so very well, did you? Well, I didn't either. He's not our kind, I guess. But here's a letter from him authorizing me to represent you. Want to see it?"

He poked it genially and authoritatively through the narrow bars toward which Clyde, now curious and dubious, approached. For there was something so whole-hearted and unusual and seemingly sympathetic and understanding in this man's voice that Clyde took courage. And without hesitancy, therefore, he took the letter and looked at it, then returned it with a smile.

"There, I thought so," went on Belknap, most convincingly and pleased with his effect, which he credited entirely to his own magnetism and charm. "That's better. I know we're going to get along. I can feel it. You are going to be able to talk to me as easily and truthfully as you would to your mother. And without any fear that any word of anything you ever tell me is going to reach another ear, unless you want it to, see? For I'm going to be your lawyer, Clyde, if you'll let me, and you're going to be my client, and we're going to sit down together tomorrow, or whenever you say so, and you're going to tell me all you think I ought to know, and I'm going to tell you what I think I ought to know, and whether I'm going to be able to help you. And I'm going to prove to you that in every way that you help me, you're only helping yourself, see? And I'm going to do my damnedest to get you out of this. Now, how's that, Clyde?"

He smiled most encouragingly and sympathetically—even affectionately. And Clyde, feeling for the first time since his arrival here that he had found some one in whom he could possibly confide without danger, was already thinking it might be best if he should tell this man all—everything—he could not have said why, quite, but he liked him. In a quick, if dim way he felt that this man understood and might even sympathize with him, if he knew all or nearly all. And after Belknap had detailed how eager this enemy of his—Mason—was to convict him, and how, if he could but devise a reasonable defense, he was sure he could delay the case until this man was out of office, Clyde announced that if he would give him the night to think it all out, to-morrow or any time he chose to come back, he would tell him all.

And then, the next day Belknap sitting on a stool and munching chocolate bars, listened while Clyde before him on his iron cot, poured forth his story—all the details of his life since arriving at Lycurgus—how and why he had come there, the incident of the slain child in Kansas City, without, however, mention of the clipping which he himself had preserved and then forgotten; his meeting with Roberta, and his desire for her; her pregnancy and how he had sought to get her out of it—on

and on until, she having threatened to expose him, he had at last, and in great distress and fright, found the item in *The Times-Union* and had sought to emulate that in action. But he had never plotted it personally, as Belknap was to understand. Nor had he intentionally killed her at the last. No, he had not. Mr. Belknap must believe that, whatever else he thought. He had never deliberately struck her. No, no, no! It had been an accident. There had been a camera, and the tripod reported to have been found by Mason was unquestionably his tripod. Also, he had hidden it under a log, after accidentally striking Roberta with the camera and then seeing that sink under the waters, where no doubt it still was, and with pictures of himself and Roberta on the film it contained, if they were not dissolved by the water. But he had not struck her intentionally. No—he had not. She had approached and he had struck, but not intentionally. The boat had upset. And then as nearly as he could, he described how before that he had seemed to be in a trance almost, because having gone so far he could go no farther.

But in the meantime, Belknap, himself finally wearied and confused by this strange story, the impossibility as he now saw it of submitting to, let alone convincing, any ordinary backwoods jury of this region, of the innocence of these dark and bitter plans and deeds, finally in great weariness and uncertainty and mental confusion, even, getting up and placing his hands on Clyde's shoulders, saying: "Well, that'll be enough of this for to-day, Clyde, I think. I see how you felt and how it all came about—also I see how tired you are, and I'm mighty glad you've been able to give me the straight of this, because I know how hard it's been for you to do it. But I don't want you to talk any more now. There are going to be other days, and I have a few things I want to attend to before I take up some of the minor phases of this with you to-morrow or next day. Just you sleep and rest for the present. You'll need all you can get for the work both of us will have to do a little later. But just now, you're not to worry, because there's no need of it, do you see? I'll get you out of this—or we will—my partner and I. I have a partner that I'm going to bring around here presently. You'll like him, too. But there are one or two things that I want you to think about and stick to—and one of these is that you're not to let anybody frighten you into anything, because either myself or my partner will be around here once a day anyhow, and anything you have to say or want to know you can say or find out from us. Next you're not to talk to anybody—

Mason, the sheriff, these jailers, no one—unless I tell you to. No one, do you hear! And above all things, don't cry any more. For if you are as innocent as an angel, or as black as the devil himself, the worst thing you can do is to cry before any one. The public and these jail officers don't understand that—they invariably look upon it as weakness or a confession of guilt. And I don't want them to feel any such thing about you now, and especially when I know that you're really not guilty. I know that now. I believe it. See! So keep a stiff upper lip before Mason and everybody.

"In fact, from now on I want you to try and laugh a little—or at any rate, smile and pass the time of day with these fellows around here. There's an old saying in law, you know, that the consciousness of innocence makes any man calm. Think and look innocent. Don't sit and brood and look as though you had lost your last friend, because you haven't. I'm here, and so is my partner, Mr. Jephson. I'll bring him around here in a day or two, and you're to look and act toward him exactly as you have toward me. Trust him, because in legal matters he's even smarter than I am in some ways. And to-morrow I'm going to bring you a couple of books and some magazines and papers, and I want you to read them or look at the pictures. They'll help keep your mind off your troubles."

Clyde achieved a rather feeble smile and nodded his head.

"From now on, too,—I don't know whether you're at all religious—but whether you are or not, they hold services here in the jail on Sundays, and I want you to attend 'em regularly—that is, if they ask you to. For this is a religious community and I want you to make as good an impression as you can. Never mind what people say or how they look—you do as I tell you. And if this fellow Mason or any of those fellows around here get to pestering you any more, send me a note.

"And now I'll be going along, so give me a cheerful smile as I go out—and another one as I come in. And don't talk, see?"

Then shaking Clyde briskly by the shoulders and slapping him on the back, he strode out, actually thinking to himself: "But do I really believe that this fellow is as innocent as he says? Would it be possible for a fellow to strike a girl like that and not know that he was doing it intentionally? And then swimming away afterwards, because, as he says, if he went near her he thought he might drown too. Bad. Bad! What twelve men are going to believe that? And that bag, those two hats, that missing suit! And yet he swears he didn't intentionally strike her. But what about all that planning—the intent—which is just as

bad in the eyes of the law. Is he telling the truth or is he lying even now—perhaps trying to deceive himself as well as me? And that camera—we ought to get hold of that before Mason finds it and introduces it. And that suit. I ought to find that and mention it, maybe, so as to offset the look of its being hidden—say that we had it all the time—send it to Lycurgus to be cleaned. But no, no—wait a minute—I must think about that."

And so on, point by point, while deciding wearily that perhaps it would be better not to attempt to use Clyde's story at all, but rather to concoct some other story—this one changed or modified in some way which would make it appear less cruel or legally murderous.

CHAPTER XV

MR. REUBEN JEPHSON was decidedly different from Belknap, Catchuman, Mason, Smillie—in fact any one, thus far, who had seen Clyde or become legally interested in this case. He was young, tall, thin, rugged, brown, cool but not cold spiritually, and with a will and a determination of the tensile strength of steel. And with a mental and legal equipment which for shrewdness and self-interest was not unlike that of a lynx or a ferret. Those shrewd, steel, very light blue eyes in his brown face. The force and curiosity of the long nose. The strength of the hands and the body. He had lost no time, as soon as he discovered there was a possibility of their (Belknap & Jephson) taking over the defense of Clyde, in going over the minutes of the coroner's inquest as well as the doctors' reports and the letters of Roberta and Sondra. And now being faced by Belknap who was explaining that Clyde did now actually admit to having plotted to kill Roberta, although not to having actually done so, since at the fatal moment, some cataleptic state of mind or remorse had intervened and caused him to unintentionally strike her—he merely stared without the shadow of a smile or comment of any kind.

"But he wasn't in such a state when he went out there with her, though?"

"No."

"Nor when he swam away afterwards?"

"No."

"Nor when he went through those woods, or changed to another suit and hat, or hid that tripod?"

"No."

"Of course you know, constructively, in the eyes of the law, if we use his own story, he's just as guilty as though he had struck her, and the judge would have to so instruct."

"Yes, I know. I've thought of all that."

"Well, then——"

"Well, I'll tell you, Jephson, it's a tough case and no mistake. It looks to me now as though Mason has all the cards. If we can get this chap off, we can get anybody off. But as I see

it, I'm not so sure that we want to mention that cataleptic business yet—at least not unless we want to enter a plea of insanity or emotional insanity, or something like that—about like that Harry Thaw case, for instance." He paused and scratched his slightly graying temple dubiously.

"You think he's guilty, of course?" interpolated Jephson, drily.

"Well, now, as astonishing as it may seem to you, no. At least, I'm not positive that I do. To tell you the truth, this is one of the most puzzling cases I have ever run up against. This fellow is by no means as hard as you think, or as cold—quite a simple, affectionate chap, in a way, as you'll see for yourself—his manner, I mean. He's only twenty-one or two. And for all his connections with these Griffiths, he's very poor—just a clerk, really. And he tells me that his parents are poor, too. They run a mission of some kind out west—Denver, I believe—and before that in Kansas City. He hasn't been home in four years. In fact, he got into some crazy boy scrape out there in Kansas City when he was working for one of the hotels as a bell-boy, and had to run away. That's something we've got to look out for in connection with Mason—whether he knows about that or not. It seems he and a bunch of other bell-hops took some rich fellow's car without his knowing it, and then because they were afraid of being late, they ran over and killed a little girl. We've got to find out about that and prepare for it, for if Mason does know about it, he'll spring it at the trial, and just when he thinks we're least expecting it."

"Well, he won't pull that one," replied Jephson, his hard, electric, blue eyes gleaming, "not if I have to go to Kansas City to find out."

And Belknap went on to tell Jephson all that he knew about Clyde's life up to the present time—how he had worked at dish-washing, waiting on table, soda-clerking, driving a wagon, anything and everything, before he had arrived in Lycurgus—how he had always been fascinated by girls—how he had first met Roberta and later Sondra. Finally how he found himself trapped by one and desperately in love with the other, whom he could not have unless he got rid of the first one.

"And notwithstanding all that, you feel a doubt as to whether he did kill her?" asked Jephson, at the conclusion of all this.

"Yes, as I say, I'm not at all sure that he did. But I do know that he is still hipped over this second girl. His manner changed whenever he or I happened to mention her. Once, for instance, I asked him about his relations with her—and in spite

of the fact that he's accused of seducing and killing this other girl, he looked at me as though I had said something I shouldn't have—insulted him or her." And here Belknap smiled a wry smile, while Jephson, his long, bony legs propped against the walnut desk before him, merely stared at him.

"You don't say," he finally observed.

"And not only that," went on Belknap, "but he said, 'Why, no, of course not. She wouldn't allow anything like that, and besides,' and then he stopped. 'And besides what, Clyde,' I asked. 'Well, you don't want to forget who she is.' 'Oh, I see,' I said. And then, will you believe it, he wanted to know if there wasn't some way by which her name and those letters she wrote him couldn't be kept out of the papers and this case—her family prevented from knowing so that she and they wouldn't be hurt too much."

"Not really? But what about the other girl?"

"That's just the point I'm trying to make. He could plot to kill one girl and maybe even did kill her, for all I know, after seducing her, but because he was being so sculled around by his grand ideas of this other girl, he didn't quite know what he was doing, really. Don't you see? You know how it is with some of these young fellows of his age, and especially when they've never had anything much to do with girls or money, and want to be something grand."

"You think that made him a little crazy, maybe?" put in Jephson.

"Well, it's possible—confused, hypnotized, loony—you know—a brain storm as they say down in New York. But he certainly is still cracked over that other girl. In fact, I think most of his crying in jail is over her. He was crying, you know, when I went in to see him, sobbing as if his heart would break."

Meditatively Belknap scratched his right ear. "But just the same, there certainly is something to this other idea—that his mind was turned by all this—that Alden girl forcing him on the one hand to marry her while the other girl was offering to marry him. I know. I was once in such a scrape myself." And here he paused to relate that to Jephson. "By the way," he went on, "he says we can find that item about that other couple drowning in *The Times-Union* of about June 18th or 19th."

"All right," replied Jephson, "I'll get it."

"What I want you to do to-morrow," continued Belknap, "is to go over there with me and see what impression you get of him. I'll be there to see if he tells it all to you in the same way. I want your own individual viewpoint of him."

"You most certainly will get it," snapped Jephson.

Belknap and Jephson proceeded the next day to visit Clyde in jail. And Jephson, after interviewing him and meditating once more on his strange story, was even then not quite able to make up his mind whether Clyde was as innocent of intending to strike Roberta as he said, or not. For if he were, how could he have swum away afterward, leaving her to drown? Decidedly it would be more difficult for a jury than for himself, even, to be convinced.

At the same time, there was that contention of Belknap's as to the possibility of Clyde's having been mentally upset or unbalanced at the time that he accepted *The Times-Union* plot and proceeded to act on it. That might be true, of course, yet personally, to Jephson at least, Clyde appeared to be wise and sane enough now. As Jephson saw him, he was harder and more cunning than Belknap was willing to believe—a cunning, modified of course, by certain soft and winning social graces for which one could hardly help liking him. However, Clyde was by no means as willing to confide in Jephson as he had been in Belknap—an attitude which did little to attract Jephson to him at first. At the same time, there was about Jephson a hard, integrated earnestness which soon convinced Clyde of his technical, if not his emotional interest. And after a while he began looking toward this younger man, even more than toward Belknap as the one who might do most for him.

"Of course, you know that those letters which Miss Alden wrote you are very strong?" began Jephson, after hearing Clyde restate his story.

"Yes, sir."

"They're very sad to any one who doesn't know all of the facts, and on that account they are likely to prejudice any jury against you, especially when they're put alongside Miss Finchley's letters."

"Yes, I suppose they might," replied Clyde, "but then, she wasn't always like that, either. It was only after she got in trouble and I wanted her to let me go that she wrote like that."

"I know. I know. And that's a point we want to think about and maybe bring out, if we can. If only there were some way to keep those letters out," he now turned to Belknap to say. Then, to Clyde, "but what I want to ask you now is this—you were close to her for something like a year, weren't you?"

"Yes."

"In all of that time that you were with her, or before, was

she ever friendly, or maybe intimate, with any other young man anywhere—that is, that you know of?"

As Clyde could see, Jephson was not afraid, or perhaps not sufficiently sensitive, to refrain from presenting any thought or trick that seemed to him likely to provide a loophole for escape. But, far from being cheered by this suggestion, he was really shocked. What a shameful thing in connection with Roberta and her character it would be to attempt to introduce any such lie as this. He could not and would not hint at any such falsehood, and so he replied:

"No, sir. I never heard of her going with any one else. In fact, I know she didn't."

"Very good! That settles that," snapped Jephson. "I judged from her letters that what you say is true. At the same time, we must know all the facts. It might make a very great difference if there were some one else."

And at this point Clyde could not quite make sure whether he was attempting to impress upon him the value of this as an idea or not, but just the same he decided it was not right even to consider it. And yet he was thinking: If only this man could think of a real defense for me! He looks so shrewd.

"Well, then," went on Jephson, in the same hard, searching tone, devoid, as Clyde saw it, of sentiment or pity of any kind, "here's something else I want to ask you. In all the time that you knew her, either before you were intimate with her or afterwards, did she ever write you a mean or sarcastic or demanding or threatening letter of any kind?"

"No, sir, I can't say that she ever did," replied Clyde, "in fact, I know she didn't. No, sir. Except for those few last ones, maybe—the very last one."

"And you never wrote her any, I suppose?"

"No, sir, I never wrote her any letters."

"Why?"

"Well, she was right there in the factory with me, you see. Besides at the last there, after she went home, I was afraid to."

"I see."

At the same time, as Clyde now proceeded to point out, and that quite honestly, Roberta could be far from sweet-tempered at times—could in fact be quite determined and even stubborn. And she had paid no least attention to his plea that her forcing him to marry her now would ruin him socially as well as in every other way, and that even in the face of his willingness to work along and pay for her support—an attitude which, as he now described it, was what had caused all the trouble—whereas

Miss Finchley (and here he introduced an element of reverence and enthusiasm which Jephson was quick to note) was willing to do everything for him.

"So you really loved that Miss Finchley very much then, did you?"

"Yes, sir."

"And you couldn't care for Roberta any more after you met her?"

"No, no. I just couldn't."

"I see," observed Jephson, solemnly nodding his head, and at the same time meditating on how futile and dangerous, even, it might be to let the jury know that. And then thinking that possibly it were best to follow the previous suggestion of Belknap's, based on the customary legal proceeding of the time, and claim insanity, or a brain storm, brought about by the terrifying position in which he imagined himself to be. But apart from that he now proceeded:

"You say something came over you when you were in the boat out there with her on that last day—that you really didn't know what you were doing at the time that you struck her?"

"Yes, sir, that's the truth." And here Clyde went on to explain once more just what his state was at that time.

"All right, all right, I believe you," replied Jephson, seemingly believing what Clyde said but not actually able to conceive it at that. "But you know, of course, that no jury, in the face of all these other circumstances, is going to believe that," he now announced. "There are too many things that'll have to be explained and that we can't very well explain as things now stand. I don't know about that idea." He now turned and was addressing Belknap. "Those two hats, that bag —unless we're going to plead insanity or something like that. I'm not so sure about all this. Was there ever any insanity in your family that you know of?" he now added, turning to Clyde once more.

"No, sir, not that I know of."

"No uncle or cousin or grandfather who had fits or strange ideas or anything like that?"

"Not that I ever heard of, no, sir."

"And your rich relatives down there in Lycurgus—I suppose they'd not like it very much if I were to step up and try to prove anything like that?"

"I'm afraid they wouldn't, no, sir," replied Clyde, thinking of Gilbert.

"Well, let me see," went on Jephson after a time. "That

makes it rather hard. I don't see, though, that anything else would be as safe." And here he turned once more to Belknap and began to inquire as to what he thought of suicide as a theory, since Roberta's letters themselves showed a melancholy trend which might easily have led to thoughts of suicide. And could they not say that once out on the lake with Clyde and pleading with him to marry her, and he refusing to do so, she had jumped overboard. And he was too astounded and mentally upset to try to save her.

"But what about his own story that the wind had blown his hat off, and in trying to save that he upset the boat?" interjected Belknap, and exactly as though Clyde were not present.

"Well, that's true enough, too, but couldn't we say that perhaps, since he was morally responsible for her condition, which in turn had caused her to take her life, he did not want to confess to the truth of her suicide?"

At this Clyde winced, but neither now troubled to notice him. They talked as though he was not present or could have no opinion in the matter, a procedure which astonished but by no means moved him to object, since he was feeling so helpless.

"But the false registrations! The two hats—the suit—his bag!" insisted Belknap staccatically, a tone which showed Clyde how serious Belknap considered his predicament to be.

"Well, whatever theory we advance, those things will have to be accounted for in some way," replied Jephson, dubiously. "We can't admit the true story of his plotting without an insanity plea, not as I see it—at any rate. And unless we use that, we've got that evidence to deal with whatever we do." He threw up his hands wearily and as if to say: I swear I don't know what to do about this.

"But," persisted Belknap, "in the face of all that, and his refusal to marry her, after his promises referred to in her letters—why, it would only react against him, so that public opinion would be more prejudiced against him than ever. No, that won't do," he concluded. "We'll have to think of something which will create some sort of sympathy for him."

And then once more turning to Clyde as though there had been no such discussion. And looking at him as much as to say: "You are a problem indeed." And then Jephson, observing: "And, oh, yes, that suit you dropped in that lake up there near the Cranstons—describe the spot to me as near as you can where you threw it—how far from the house was it?" He waited until Clyde haltingly attempted to recapture the various details of the hour and the scene as he could recall it.

"If I could go up there, I could find it quick enough."

"Yes, I know, but they won't let you go up there without Mason being along," he returned. "And maybe not even then. You're in prison now, and you can't be taken out without the state's consent, you see. But we must get that suit." Then turning to Belknap and lowering his voice, he added: "We want to get it and have it cleaned and submit it as having been sent away to be cleaned by him—not hidden, you see."

"Yes, that's so," commented Belknap idly while Clyde stood listening curiously and a little amazed by this frank program of trickery and deception on his behalf.

"And now in regard to that camera that fell in the lake—we have to try and find that, too. I think maybe Mason may know about it or suspect that it's there. At any rate it's very important that we should find it before he does. You think that about where that pole was that day you were up there is where the boat was when it overturned?"

"Yes, sir."

"Well, we must see if we can get that," he continued, turning to Belknap. "We don't want that turning up in the trial, if we can help it. For without that, they'll have to be swearing that he struck her with that tripod or something that he didn't, and that's where we may trip 'em up."

"Yes, that's true, too," replied Belknap.

"And now in regard to the bag that Mason has. That's another thing I haven't seen yet, but I will see it to-morrow. Did you put that suit, as wet as it was, in the bag when you came out of the water?"

"No, sir, I wrung it out first. And then I dried it as much as I could. And then I wrapped it up in the paper that we had the lunch in and then put some dry pine needles underneath it in the bag and on top of it."

"So there weren't any wet marks in the bag after you took it out, as far as you know?"

"No, sir, I don't think so."

"But you're not sure?"

"Not exactly sure now that you ask me—no, sir."

"Well, I'll see for myself to-morrow. And now as to those marks on her face, you have never admitted to any one around here or anywhere that you struck her in any way?"

"No, sir."

"And the mark on the top of her head was made by the boat, just as you said?"

"Yes, sir."

"But the others you think you might have made with the camera?"

"Yes, sir. I suppose they were."

"Well, then, this is the way it looks to me," said Jephson, again turning to Belknap. "I think we can safely say when the time comes that those marks were never made by him at all, see? —but by the hooks and the poles with which they were scraping around up there when they were trying to find her. We can try it, anyhow. And if the hooks and poles didn't do it," he added, a little grimly and dryly, "certainly hauling her body from that lake to that railroad station and from there to here on the train might have."

"Yes, I think Mason would have a hard time proving that they weren't made that way," replied Belknap.

"And as for that tripod, well, we'd better exhume the body and make our own measurements, and measure the thickness of the edge of that boat, so that it may not be so easy for Mason to make any use of the tripod now that he has it, after all."

Mr. Jephson's eyes were very small and very clear and very blue, as he said this. His head, as well as his body, had a thin, ferrety look. And it seemed to Clyde, who had been observing and listening to all this with awe, that this younger man might be the one to aid him. He was so shrewd and practical, so very direct and chill and indifferent, and yet confidence-inspiring, quite like an uncontrollable machine of a kind which generates power.

And when at last these two were ready to go, he was sorry. For with them near him, planning and plotting in regard to himself, he felt so much safer, stronger, more hopeful, more certain of being free, maybe, at some future date.

CHAPTER XVI

THE result of all this, however, was that it was finally decided that perhaps the easiest and safest defense that could be made, assuming that the Griffiths family of Lycurgus would submit to it, would be that of insanity or "brain storm"—a temporary aberration due to love and an illusion of grandeur aroused in Clyde by Sondra Finchley and the threatened disruption by Roberta of all his dreams and plans. But after consultation with Catchuman and Darrah Brookhart at Lycurgus, and these in turn conferring with Samuel and Gilbert Griffiths, it was determined that this would not do. For to establish insanity or "brain storm" would require previous evidence or testimony to the effect that Clyde was of none too sound mind, erratic his whole life long, and with certain specific instances tending to demonstrate how really peculiar he was—relatives (among them the Griffiths of Lycurgus themselves, perhaps), coming on to swear to it—a line of evidence, which, requiring as it would, outright lying and perjury on the part of many as well as reflecting on the Griffiths' blood and brain, was sufficient to alienate both Samuel and Gilbert to the extent that they would have none of it. And so Brookhart was compelled to assure Belknap that this line of defense would have to be abandoned.

Such being the case, both Belknap and Jephson were once more compelled to sit down and consider. For any other defense which either could think of now seemed positively hopeless.

"I want to tell you one thing!" observed the sturdy Jephson, after thumbing through the letters of both Roberta and Sondra again. "These letters of this Alden girl are the toughest things we're going to have to face. They're likely to make any jury cry if they're read right, and then to introduce those letters from that other girl on top of these would be fatal. It will be better, I think, if we do not mention hers at all, unless he does. It will only make it look as though he had killed that Alden girl to get rid of her. Mason couldn't want anything better, as I see it." And with this Belknap agreed most heartily.

At the same time, some plan must be devised immediately. And so, out of these various conferences, it was finally deduced

by Jephson, who saw a great opportunity for himself in this matter, that the safest possible defense that could be made, and one to which Clyde's own suspicions and most peculiar actions would most exactly fit, would be that he had never contemplated murder. On the contrary, being a moral if not a physical coward, as his own story seemed to suggest, and in terror of being exposed and driven out of Lycurgus and of the heart of Sondra, and never as yet having told Roberta of Sondra and thinking that knowledge of this great love for her (Sondra) might influence Roberta to wish to be rid of him, he had hastily and without any worse plan in mind, decided to persuade Roberta to accompany him to any near-by resort but not especially Grass Lake or Big Bittern, in order to tell her all this and so win his freedom—yet not without offering to pay her expenses as nearly as he could during her very trying period.

"All well and good," commented Belknap. "But that involves his refusing to marry her, doesn't it? And what jury is going to sympathize with him for that or believe that he didn't want to kill her?"

"Wait a minute, wait a minute," replied Jephson, a little testily. "So far it does. Sure. But you haven't heard me to the end yet. I said I had a plan."

"All right, then what is it?" replied Belknap most interested.

"Well, I'll tell you—my plan's this—to leave all the facts just as they are, and just as he tells them, and just as Mason has discussed them so far, except, of course, his striking her—and then explain them—the letters, the wounds, the bag, the two hats, everything—not deny them in any way."

And here he paused and ran his long, thin, freckled hands eagerly through his light hair and looked across the grass of the public square to the jail where Clyde was, then toward Belknap again.

"All very good, but how?" queried Belknap.

"There's no other way, I tell you," went on Jephson quite to himself, and ignoring his senior, "and I think this will do it." He turned to look out the window again, and began as though talking to some one outside: "He goes up there, you see, because he's frightened and because he has to do something or be exposed. And he signs those registers just as he did because he's afraid to have it known by anybody down there in Lycurgus that he is up there. And he has this plan about confessing to her about this other girl. *BUT,"* and now he paused and looked fixedly at Belknap, "and this is the keystone of the whole thing—if this

won't hold water, then down we go! Listen! He goes up there with her, frightened, and not to marry her or to kill her but to argue with her to go away. But once up there and he sees how sick she is, and tired, and sad—well, you know how much she still loves him, and he spends two nights with her, see?"

"Yes, I see," interrupted Belknap, curiously, but not quite so dubiously now. "And that might explain those nights."

"MIGHT? Would!" replied Jephson, slyly and calmly, his harebell eyes showing only cold, eager, practical logic, no trace of emotion or even sympathy of any kind, really. "Well, while he's up there with her under those conditions—so close to her again, you see" (and his facial expression never altered so much as by a line) "he experiences a change of heart. You get me? He's sorry for her. He's ashamed of himself—his sin against her. That ought to appeal to these fellows around here, these religious and moral people, oughtn't it?"

"It might," quietly interpolated Belknap, who by now was very much interested and a little hopeful.

"He sees that he's done her a wrong," continued Jephson, intent, like a spider spinning a web, on his own plan, "and in spite of all his affection for this other girl, he's now ready to do the right thing by this Alden girl, do you see, because he's sorry and ashamed of himself. That takes the black look off his plotting to kill her while spending those two nights in Utica and Grass Lake with her."

"He still loves the other girl, though?" interjected Belknap.

"Well, sure. He likes her at any rate, has been fascinated by that life down there and sort of taken out of himself, made over into a different person, but now he's ready to marry Roberta, in case, after telling her all about this other girl and his love for her, she still wants him to."

"I see. But how about the boat now and that bag and his going up to this Finchley girl's place afterwards?"

"Just a minute! Just a minute! I'll tell you about that," continued Jephson, his blue eyes boring into space like a powerful electric ray. "Of course, he goes out in the boat with her, and of course he takes that bag, and of course he signs those registers falsely, and walks away through those woods to that other girl, after Roberta is drowned. But why? Why? Do you want to know why? I'll tell you! He felt sorry for her, see, and he wanted to marry her, or at least he wanted to do the right thing by her at the very last there. Not before, not before, remember, but *after* he had spent a night with her in Utica and another one in Grass Lake. But once she was drowned—and accidentally, of

course, as he says, there was his love for that other girl. He hadn't ceased loving her even though he was willing to sacrifice her in order to do the right thing by Roberta. See?"

"I see."

"And how are they going to prove that he didn't experience a change of heart if he says he did and sticks to it?"

"I see, but he'll have to tell a mighty convincing story," added Belknap, a little heavily. "And how about those two hats? They're going to have to be explained."

"Well, I'm coming to those now. The one he had was a little soiled. And so he decided to buy another. As for that story he told Mason about wearing a cap, well, he was frightened and lied because he thought he would have to get out of it. Now, of course, before he goes to that other girl afterwards—while Roberta is still alive, I mean, there's his relationship with the other girl, what he intends to do about her. He's talking to Roberta, now you see," he continued, "and that has to be disposed of in some way. But, as I see it, that's easy, for of course after he experiences a change of heart and wants to do the right thing by Roberta, all he has to do is to write that other girl or go to her and tell her—about the wrong he has done Roberta."

"Yes."

"For, as I see it now, she can't be kept out of the case entirely, after all. We'll have to ring her in, I'm afraid."

"All right; then we have to," said Belknap.

"Because you see, if Roberta still feels that he ought to marry her—he'll go first and tell that Finchley girl that he can't marry her—that he's going away—that is, if Roberta doesn't object to his leaving her that long, don't you see?"

"Yes."

"If she does, he'll marry her, either at Three Mile Bay or some other place."

"Yes."

"But you don't want to forget that while she's still alive he's puzzled and distressed. And it's only after that second night, at Grass Lake, that he begins to see how wrong all his actions have been, you understand. Something happens. Maybe she cries or talks about wanting to die, like she does in those letters."

"Yes."

"And so he wants a quiet place where they can sit down in peace and talk, where no one else will see or hear them."

"Yes, yes—go on."

"Well, he thinks of Big Bittern. He's been up there once

before or they're near there, then, and just below there, twelve miles, is Three Mile Bay, where, if they decide to marry, they can."

"I see."

"If not, if she doesn't want to marry him after his full confession, he can row her back to the inn, can't he, and he or she can stay there or go on."

"Yes, yes."

"In the meantime, not to have any delay or be compelled to hang about that inn—it's rather expensive, you know, and he hasn't any too much money—he takes that lunch in his bag. Also his camera, because he wants to take some pictures. For if Mason should turn up with that camera, it's got to be explained, and it will be better explained by us than it will be by him, won't it?"

"I see, I see," exclaimed Belknap, intensely interested by now and actually smiling and beginning to rub his hands.

"So they go out on the lake."

"Yes."

"And they row around."

"Yes."

"And finally after lunch on shore, some pictures taken——"

"Yes."

"He decides to tell her just how things stand with him. He's ready, willing——"

"I get you."

"Only just before doing that, he wants to take one or two more pictures of her there in the boat, just off shore."

"Yes."

"And then he'll tell her, see?"

"Yes."

"And so they go out in the boat again for a little row, just as he did, see?"

"Yes."

"But because they intend to go ashore again for some flowers, he's left the bag there, see? That explains the bag."

"Yes."

"But before taking any more pictures there, in the boat on the water, he begins to tell her about his love for this other girl—that if she wants him to, now he'll marry her and then write this Sondra a letter. Or, if she feels she doesn't want to marry him with him loving this other girl . . ."

"Yes, go on!" interrupted Belknap, eagerly.

"Well," continued Jephson, "he'll do his best to take care of

her and support her out of the money he'll have after he marries the rich girl."

"Yes."

"Well, she wants him to marry her and drop this Miss Finchley!"

"I see."

"And he agrees?"

"Sure."

"Also she's so grateful that in her excitement, or gratitude, she jumps up to come toward him, you see?"

"Yes."

"And the boat rocks a little, and he jumps up to help her because he's afraid she's going to fall, see?"

"Yes, I see."

"Well, now if we wanted to we could have him have that camera of his in his hand or not, just as you think fit."

"Yes, I see what you're driving at."

"Well, whether he keeps it in his hand or doesn't, there's some misstep on his part or hers, just as he says, or just the motion of the two bodies, causes the boat to go over, and he strikes her, or not, just as you think fit, but accidentally, of course."

"Yes, I see, and I'll be damned!" exclaimed Belknap. "Fine, Reuben! Excellent! Wonderful, really!"

"And the boat strikes her too, as well as him, a little, see?" went on Jephson, paying no attention to this outburst, so interested was he in his own plot, "and makes him a little dizzy, too."

"I see."

"And he hears her cries and sees her, but he's a little stunned himself, see? And by the time he's ready to do something——"

"She's gone," concluded Belknap, quietly. "Drowned. I get you."

"And then, because of all those other suspicious circumstances and false registrations—and because now she's gone and he can't do anything more for her, anyhow—her relatives might not want to know her condition, you know——"

"I see."

"He slips away, frightened, a moral coward, just as we'll have to contend from the first, anxious to stand well with his uncle and not lose his place in this world. Doesn't that explain it?"

"About as well as anything could explain it, Reuben, I think. In fact, I think it's a plausible explanation and I congratulate you. I don't see how any one could hope to find a better. If

that doesn't get him off, or bring about a disagreement, at least we might get him off with, well, say, twenty years, don't you think?" And very much cheered, he got up, and after eyeing his long, thin associate admiringly, added: "Fine!" while Jephson, his blue eyes for all the world like windless, still pools, looked steadily back.

"But of course you know what that means?" Jephson now added, calmly and softly.

"That we have to put him on the witness stand? Surely, surely. I see that well enough. But it's his only chance."

"And he won't strike people as a very steady or convincing fellow, I'm afraid—too nervous and emotional."

"Yes, I know all that," replied Belknap, quickly. "He's easily rattled. And Mason will go after him like a wild bull. But we'll have to coach him as to all this—drill him. Make him understand that it's his only chance—that his very life depends on it. Drill him for months."

"If he fails, then he's gone. If only we could do something to give him courage—teach him to act it out." Jephson's eyes seemed to be gazing directly before him at the very courtroom scene in which Clyde on the stand would have Mason before him. And then picking up Roberta's letters (copies of them furnished by Mason) and looking at them, he concluded: "If it only weren't for these—here." He weighed them up and down in his hand. "Christ!" he finally concluded, darkly. "What a case! But we're not licked yet, not by a darn sight! Why, we haven't begun to fight yet. And we'll get a lot of publicity, anyhow. By the way," he added, "I'm having a fellow I know down near Big Bittern dredge for that camera to-night. Wish me luck."

"Do I?" was all Belknap replied.

CHAPTER XVII

THE struggle and excitement of a great murder trial! Belknap and Jephson, after consulting with Brookhart and Catchuman, learning that they considered Jephson's plan "perhaps the only way," but with as little reference to the Griffiths as possible.

And then at once, Messrs. Belknap and Jephson issuing preliminary statements framed in such a manner as to show their faith in Clyde, presenting him as being, in reality, a much maligned and entirely misunderstood youth, whose intentions and actions toward Miss Alden were as different from those set forth by Mason as white from black. And intimating that the undue haste of the district attorney in seeking a special term of the Supreme Court might possibly have a political rather than a purely legal meaning. Else why the hurry, especially in the face of an approaching county election? Could there be any plan to use the results of such a trial as this to further any particular person's, or group of persons', political ambitions? Messrs. Belknap and Jephson begged to hope not.

But regardless of such plans or the prejudices or the political aspirations of any particular person or group, the defense in this instance did not propose to permit a boy as innocent as Clyde, trapped by circumstances—as counsel for the defense would be prepared to show—to be railroaded to the electric chair merely to achieve a victory for the Republican party in November Furthermore, to combat these strange and yet false circumstances, the defense would require a considerable period of time to prepare its case. Therefore, it would be necessary for them to file a formal protest at Albany against the district attorney's request to the governor for a special term of the Supreme Court There was no need for the same, since the regular term for the trial of such cases would fall in January, and the preparation of their case would require that much time.

But while this strong, if rather belated, reply was listened to with proper gravity by the representatives of the various newspapers, Mason vigorously pooh-poohed this "windy" assertion of political plotting, as well as the talk of Clyde's innocence.

"What reason have I, a representative of all the people of this county, to railroad this man anywhere or make one single charge against him unless the charges make themselves? Doesn't the evidence itself show that he did kill this girl? And has he ever said or done one thing to clear up any of the suspicious circumstances? No! Silence or lies. And until these circumstances are disproved by these very able gentlemen, I am going right ahead. I have all the evidence necessary to convict this young criminal now. And to delay it until January, when I shall be out of office, as they know, and when a new man will have to go over all this evidence with which I have familiarized myself, is to entail great expense to the county. For all the witnesses I have gotten together are right here now, easy to bring into Bridgeburg without any great expense to the county. But where will they be next January or February, especially after the defense has done its best to scatter them? No, sir! I will not agree to it. But, if within ten days or two weeks from now even, they can bring me something that will so much as make it look as though even some of the charges I have made are not true, I'll be perfectly willing to go before the presiding judge with them, and if they can show him any evidence they have or hope to have, or that there are any distant known witnesses to be secured who can help prove this fellow's innocence, why, then, well and good. I'll be willing to ask the judge to grant them as much time as he may see fit, even if it throws the trial over until I am out of office. But if the trial comes up while I'm here, as I honestly hope it will, I'll prosecute it to the best of my ability, not because I'm looking for an office of any kind but because I am now the district attorney and it is my duty to do so. And as for my being in politics, well, Mr. Belknap is in politics, isn't he? He ran against me the last time, and I hear he desires to run again."

Accordingly he proceeded to Albany further to impress upon the Governor the very great need of an immediate special term of the Court so that Clyde might be indicted. And the Governor, hearing the personal arguments of both Mason and Belknap, decided in favor of Mason, on the ground that the granting of a special term did not militate against any necessary delay of the trial of the case, since nothing which the defense as yet had to offer seemed to indicate that the calling of a special term was likely in any way to prevent it from obtaining as much time wherein to try the case as needed. Besides, it would be the business of the Supreme Court justice appointed to consider such arguments—not himself. And accordingly, a special

term of the Supreme Court was ordered, with one Justice Frederick Oberwaltzer of the eleventh judicial district designated to preside. And when Mason appeared before him with the request that he fix the date of the Special Grand Jury by which Clyde might be indicted, this was set for August fifth.

And then that body sitting, it was no least trouble for Mason to have Clyde indicted.

And thereafter the best that Belknap and Jephson could do was to appear before Oberwaltzer, a Democrat, who owed his appointment to a previous governor, to argue for a change of venue, on the ground that by no possible stretch of the imagination could any twelve men residing in Cataraqui County be found who, owing to the public and private statements of Mason, were not already vitally opposed to Clyde and so convinced of his guilt that before ever such a jury could be addressed by a defense, he would be convicted.

"But where are you going then?" injuired Justice Oberwaltzer, who was impartial enough. "This same material has been published everywhere."

"But, your Honor, this crime which the district attorney here has been so busy in magnifying——" (a long and heated objection on the part of Mason).

"But we contend just the same," continued Belknap, "that the public has been unduly stirred and deluded. You can't get twelve men now who will try this man fairly."

"What nonsense!" exclaimed Mason, angrily. "Mere twaddle! Why, the newspapers themselves have gathered and published more evidence than I have. It's the publicly discovered facts in this case that have aroused prejudice, if any has been aroused. But no more than would be aroused anywhere, I maintain. Besides, if this case is to be transferred to a distant county when the majority of the witnesses are right here, this county is going to be saddled with an enormous expense, which it cannot afford and which the facts do not warrant."

Justice Oberwaltzer, who was of a sober and moral turn, a slow and meticulous man inclined to favor conservative procedure in all things, was inclined to agree. And after five days, in which he did no more than muse idly upon the matter, he decided to deny the motion. If he were wrong, there was the Appellate Division to which the defense could resort. As for stays, having fixed the date of the trial for October fifteenth (ample time, as he judged, for the defense to prepare its case), he adjourned for the remainder of the summer to his cottage on Blue Mountain Lake, where both the prosecution and the de-

fense, should any knotty or locally insoluble legal complication arise, would be able to find him and have his personal attention.

But with the entry of the Messrs. Belknap and Jephson into the case, Mason found it advisable to redouble his efforts to make positive, in so far as it was possible, the conviction of Clyde. He feared the young Jephson as much as he did Belknap. And for that reason, taking with him Burton Burleigh and Earl Newcomb, he now revisited Lycurgus, where among other things he was able to discover (1) where Clyde had purchased the camera; (2) that three days before his departure for Big Bittern he had said to Mrs. Peyton that he was thinking of taking his camera with him and that he must get some films for it; (3) that there was a haberdasher by the name of Orrin Short who had known Clyde well and that but four months before Clyde had applied to him for advice in connection with a factory hand's pregnant wife—also (and this in great confidence to Burton Burleigh, who had unearthed him) that he had recommended to Clyde a certain Dr. Glenn, near Gloversville; (4) Dr. Glenn himself being sought and pictures of Clyde and Roberta being submitted, he was able to identify Roberta, although not Clyde, and to describe the state of mind in which she had approached him, as well as the story she had told—a story which in no way incriminated Clyde or herself, and which, therefore, Mason decided might best be ignored, for the present, anyhow.

And (5), via these same enthusiastic efforts, there rose to the surface the particular hat salesman in Utica who had sold Clyde the hat. For Burton Burleigh being interviewed while in Utica, and his picture published along with one of Clyde, this salesman chanced to see it and recalling him at once made haste to communicate with Mason, with the result that his testimony, properly typewritten and sworn to, was carried away by Mason.

And, in addition, the country girl who had been on the steamer "Cygnus" and who had noticed Clyde, wrote Mason that she remembered him wearing a straw hat, also his leaving the boat at Sharon, a bit of evidence which most fully confirmed that of the captain of the boat and caused Mason to feel that Providence or Fate was working with him. And last, but most important of all to him, there came a communication from a woman residing in Bedford, Pennsylvania, who announced that during the week of July third to tenth, she and her husband had been camping on the east shore of Big Bittern, near the southern end of the lake. And while rowing on the lake on the afternoon of July eighth, at about six o'clock, she had heard a cry which

sounded like that of a woman or girl in distress—a plaintive, mournful cry. It was very faint and had seemed to come from beyond the island which was to the south and west of the bay in which they were fishing.

Mason now proposed to remain absolutely silent regarding this information, and that about the camera and films and the data regarding Clyde's offense in Kansas City, until nearer the day of trial, or during the trial itself, when it would be impossible for the defense to attempt either to refute or ameliorate it in any way.

As for Belknap and Jephson, apart from drilling Clyde in the matter of his general denial based on his change of heart once he had arrived at Grass Lake, and the explanation of the two hats and the bag, they could not see that there was much to do. True, there was the suit thrown in Fourth Lake near the Cranstons, but after much trolling on the part of a seemingly casual fisherman, that was brought up, cleaned and pressed, and now hung in a locked closet in the Belknap and Jephson office. Also, there was the camera at Big Bittern, dived for but never found by them—a circumstance which led Jephson to conclude that Mason must have it, and so caused him to decide that he would refer to it at the earliest possible opportunity at the trial. But as for Clyde striking her with it, even accidentally, well, it was decided at that time at least, to contend that he had not—although after exhuming Roberta's body at Biltz it had been found that the marks on her face, even at this date, did correspond in some degree to the size and shape of the camera.

For, in the first place, they were exceedingly dubious of Clyde as a witness. Would he or would he not, in telling of how it all happened, be sufficiently direct or forceful and sincere to convince any jury that he had so struck her without intending to strike her? For on that, marks or no marks, would depend whether the jury was going to believe him. And if it did not believe that he struck her accidentally, then a verdict of guilty, of course.

And so they prepared to await the coming of the trial, only working betimes and in so far as they dared, to obtain testimony or evidence as to Clyde's previous good character, but being blocked to a degree by the fact that in Lycurgus, while pretending to be a model youth outwardly, he had privately been conducting himself otherwise, and that in Kansas City his first commercial efforts had resulted in such a scandal.

However, one of the most difficult matters in connection with Clyde and his incarceration here, as Belknap and Jephson as well

as the prosecution saw it, was the fact that thus far not one single member of his own or his uncle's family had come forward to champion him. And to no one save Belknap and Jephson had he admitted where his parents were. Yet would it not be necessary, as both Belknap and Jephson argued from time to time, if any case at all were to be made out for him, to have his mother or father, or at least a sister or a brother, come forward to say a good word for him? Otherwise, Clyde might appear to be a pariah, one who had been from the first a drifter and a waster and was now purposely being avoided by all who knew him.

For this reason, at their conference with Darrah Brookhart they had inquired after Clyde's parents and had learned that in so far as the Griffiths of Lycurgus were concerned, there lay a deep objection to bringing on any member of this western branch of the family. There was, as he explained, a great social gap between them, which it would not please the Lycurgus Griffiths to have exploited here. Besides, who could say but that once Clyde's parents were notified or discovered by the yellow press, they might not lend themselves to exploitation. Both Samuel and Gilbert Griffiths, as Brookhart now informed Belknap, had suggested that it was best, if Clyde did not object, to keeping his immediate relatives in the background. In fact, on this, in some measure at least, was likely to depend the extent of their financial aid to Clyde.

Clyde was in accord with this wish of the Griffiths, although no one who talked with him sufficiently or heard him express how sorry he was on his mother's account that all this had happened, could doubt the quality of the blood and emotional tie that held him and his mother together. The complete truth was that his present attitude toward her was a mixture of fear and shame because of the manner in which she was likely to view his predicament—his moral if not his social failure. Would she be willing to believe the story prepared by Belknap and Jephson as to his change of heart? But even apart from that, to have her come here now and look at him through these bars when he was so disgraced—to be compelled to face her and talk to her day after day! Her clear, inquiring, tortured eyes! Her doubt as to his innocence, since he could feel that even Belknap and Jephson, in spite of all their plans for him, were still a little dubious as to that unintentional blow of his. They did not really believe it, and they might tell her that. And would his religious, God-fearing, crime-abhorring mother be more credulous than they?

Being asked again what he thought ought to be done about

his parents, he replied that he did not believe he could face his mother yet—it would do no good and would only torture both.

And fortunately, as he saw it, apparently no word of all that had befallen him had yet reached his parents in Denver. Because of their peculiar religious and moral beliefs, all copies of worldly and degenerate daily papers were consistently excluded from their home and Mission. And the Lycurgus Griffiths had had no desire to inform them.

Yet one night, at about the time that Belknap and Jephson were most seriously debating the absence of his parents and what, if anything, should be done about it, Esta, who some time after Clyde had arrived in Lycurgus had married and was living in the southeast portion of Denver, chanced to read in *The Rocky Mountain News*—and this just subsequent to Clyde's indictment by the Grand Jury at Bridgeburg:

"BOY SLAYER OF WORKING GIRL INDICTED

"Bridgeburg, N. Y., Aug. 6: A special Grand Jury appointed by Governor Stouderback, of this state, to sit in the case of Clyde Griffiths, the nephew of the wealthy collar manufacturer of the same name, of Lycurgus, New York, recently charged with the killing of Miss Roberta Alden, of Biltz, New York, at Big Bittern Lake in the Adirondacks on July 8th last, to-day returned an indictment charging murder in the first degree.

"Subsequent to the indictment, Griffiths, who in spite of almost overwhelming evidence, has persisted in asserting that the alleged crime was an accident, and who, accompanied by his counsel, Alvin Belknap, and Reuben Jephson, of this city, was arraigned before Supreme Court Justice Oberwaltzer, pleaded not guilty. He was remanded for trial, which was set for October 15th.

"Young Griffiths, who is only twenty-two years of age, and up to the day of his arrest a respected member of Lycurgus smart society, is alleged to have stunned and then drowned his working-girl sweetheart, whom he had wronged and then planned to desert in favor of a richer girl. The lawyers in this case have been retained by his wealthy uncle of Lycurgus, who has hitherto remained aloof. But apart from this, it is locally asserted, no relative has come forward to aid in his defense."

Esta forthwith made a hurried departure for her mother's home. Despite the directness and clarity of this she was not willing to believe it was Clyde. Still there was the damning force of geography and names—the rich Lycurgus Griffiths, the absence of his own relatives.

As quickly as the local street car would carry her, she now presented herself at the combined lodging house and mission known as the "Star of Hope," in Bidwell Street, which was scarcely better than that formerly maintained in Kansas City. For while it provided a number of rooms for wayfarers at

twenty-five cents a night, and was supposd to be self-supporting, it entailed much work with hardly any more profit. Besides, by now, both Frank and Julia, who long before this had become irked by the drab world in which they found themselves, had earnestly sought to free themselves of it, leaving the burden of the mission work on their father and mother. Julia, now nineteen, was cashiering for a local downtown restaurant, and Frank, nearing seventeen, had but recently found work in a fruit and vegetable commission house. In fact, the only child about the place by day was little Russell, the illegitimate son of Esta —now between three and four years of age, and most reservedly fictionalized by his grandparents as an orphan whom they had adopted in Kansas City. He was a dark-haired child, in some ways resembling Clyde, who, even at this early age, as Clyde had been before him, was being instructed in those fundamental verities which had irritated Clyde in his own childhood.

At the time that Esta, now a decidedly subdued and reserved wife, entered, Mrs. Griffiths was busy sweeping and dusting and making up beds. But on sight of her daughter at this unusual hour approaching, and with blanched cheeks signalling her to come inside the door of a vacant room, Mrs. Griffiths, who, because of years of difficulties of various kinds, was more or less accustomed to scenes such as this, now paused in wonder, the swiftly beclouding mist of apprehension shining in her eyes. What new misery or ill was this? For decidedly Esta's weak gray eyes and manner indicated distress. And in her hand was folded a paper, which she opened and after giving her mother a most solicitous look, pointed to the item, toward which Mrs. Griffiths now directed her look. But what was this?

"BOY SLAYER OF WORKING-GIRL SWEETHEART INDICTED."

"CHARGED WITH THE KILLING OF MISS ROBERTA ALDEN AT BIG BITTERN LAKE IN THE ADIRONDACKS ON JULY 8 LAST."

"RETURNED INDICTMENT CHARGING MURDER IN THE FIRST DEGREE."

"IN SPITE OF ALMOST OVERWHELMING CIRCUMSTANTIAL EVIDENCE."

"PLEADED NOT GUILTY."

"REMANDED FOR TRIAL."

"SET FOR OCTOBER 15."

"STUNNED AND DROWNED HIS WORKING-GIRL SWEETHEART."

"NO RELATIVE HAS COME FORWARD."

It was thus that her eye and her mind automatically selected the most essential lines. And then as swiftly going over them again.

"CLYDE GRIFFITHS, NEPHEW OF THE WEALTHY COLLAR MANUFACTURER OF LYCURGUS, NEW YORK."

Clyde—her son! And only recently—but no, over a month ago—(and they had been worrying a little as to that, she and Asa, because he had not—) July 8th! And it was now August 11th! Then—yes! But not her son! Impossible! Clyde the murderer of a girl who was his sweetheart! But he was not like that! He had written to her how he was getting along—the head of a large department, with a future. But of no girl. But now! And yet that other little girl there in Kansas City. Merciful God! And the Griffiths, of Lycurgus, her husband's brother, knowing of this and not writing! Ashamed, disgusted, no doubt. Indifferent. But no, he had hired two lawyers. Yet the horror! Asa! Her other children! What the papers would say! This mission! They would have to give it up and go somewhere else again. Yet was he guilty or not guilty? She must know that before judging or thinking. This paper said he had pleaded not guilty. Oh, that wretched, worldly, showy hotel in Kansas City! Those other bad boys! Those two years in which he had wandered here and there, not writing, passing as Harry Tenet. Doing what? Learning what?

She paused, full of that intense misery and terror which no faith in the revealed and comforting verities of God and mercy and salvation which she was always proclaiming, could for the moment fend against. Her boy! Her Clyde! In jail, accused of murder! She must wire! She must write! She must go, maybe. But how to get the money! What to do when she got there. How to get the courage—the faith—to endure it. Yet again, neither Asa nor Frank nor Julia must know. Asa, with his protesting and yet somehow careworn faith, his weak eyes and weakening body. And must Frank and Julia, now just starting out in life, be saddled with this? Marked thus?

Merciful God! Would her troubles never end?

She turned, her big, work-worn hands trembling slightly, shaking the paper she held, while Esta, who sympathized greatly with her mother these days because of all she had been compelled to endure, stood by. She looked so tired at times, and now to be racked by this! Yet, as she knew, her mother was the

strongest in the family—so erect, so square-shouldered, defiant—a veritable soul pilot in her cross-grained, uniformed way.

"Mamma, I just can't believe it can be Clyde," was all Esta could say now. "It just can't be, can it?"

But Mrs. Griffiths merely continued to stare at that ominous headline, then swiftly ran her gray-blue eyes over the room. Her broad face was blanched and dignified by an enormous strain and an enormous pain. Her erring, misguided, no doubt unfortunate, son, with all his wild dreams of getting on and up, was in danger of death, of being electrocuted for a crime—for murder! He had killed some one—a poor working-girl, the paper said.

"Ssh!" she whispered, putting one finger to her own lips as a sign. "He" (indicating Asa) "must not know yet, anyhow. We must wire first, or write. You can have the answers come to you, maybe. I will give you the money. But I must sit down somewhere now for a minute. I feel a little weak. I'll sit here. Let me have the Bible."

On the small dresser was a Gideon Bible, which, sitting on the edge of the commonplace iron bed, she now opened instinctively at Psalms 3 and 4.

"Lord, how are they increased that trouble."

"Hear me, when I call, O God of my righteousness."

And then reading on silently, even placidly apparently, through 6, 8, 10, 13, 23, 91, while Esta stood by in silent amazement and misery.

"Oh, mamma, I just can't believe it. Oh, this is too terrible!"

But Mrs. Griffiths read on. It was as if, and in spite of all this, she had been able to retreat into some still, silent place, where, for the time being at least, no evil human ill could reach her. Then at last, quite calmly closing the book, and rising, she went on:

"Now, we must think out what to say and who to send that telegram to—I mean to Clyde, of course—at that place, wherever it is—Bridgeburg," she added, looking at the paper, and then interpolating from the Bible—"By terrible things in righteousness wilt thou answer us, O God!" "Or, maybe, those two lawyers—their names are there. I'm afraid to wire Asa's brother for fear he'll wire back to him." (Then: 'Thou art my bulwark and my strength. In Thee will I trust.') "But I suppose they would give it to him if we sent it care of that judge or those lawyers, don't you think? But it would be better if we could send it to him direct, I suppose. ('He leadeth me by the still waters.') Just say that I have read about him and still

have faith in and love for him, but he is to tell me the truth and what to do. If he needs money we will have to see what we can do, I suppose. ('He restoreth my soul.')"

And then, despite her sudden peace of the moment, she once more began wringing her large, rough hands. "Oh, it can't be true. Oh, dear, no! After all, he is my son. We all love him and have faith. We must say that. God will deliver him. Watch and pray. Have faith. Under his wings shalt thou trust."

She was so beside herself that she scarcely knew what she was saying. And Esta, at her side, was saying: "Yes, mamma! Oh, of course! Yes, I will! I know he'll get it all right." But she, too, was saying to herself: "My God! My God! What could be worse than this—to be accused of murder! But, of course, it can't be true. It can't be true. If he should hear!" (She was thinking of her husband.) "And after Russell, too. And Clyde's trouble there in Kansas City. Poor mamma. She has so much trouble."

Together, after a time, and avoiding Asa who was in an adjoining room helping with the cleaning, the two made their way to the general mission room below, where was silence and many placards which proclaimed the charity, the wisdom, and the sustaining righteousness of God.

CHAPTER XVIII

THE telegram, worded in the spirit just described, was forthwith despatched care of Belknap and Jephson, who immediately counseled Clyde what to reply—that all was well with him; that he had the best of advice and would need no financial aid. Also that until his lawyers advised it, it would be best if no member of the family troubled to appear, since everything that could possibly be done to aid him was already being done. At the same time they wrote Mrs. Griffiths, assuring her of their interest in Clyde and advising her to let matters rest as they were for the present.

Despite the fact that the Griffiths were thus restrained from appearing in the east, neither Belknap nor Jephson were averse to some news of the existence, whereabouts, faith and sympathy of Clyde's most immediate relatives creeping into the newspapers, since the latter were so persistent in referring to his isolation. And in this connection they were aided by the fact that his mother's telegram on being received in Bridgeburg was at once read by individuals who were particularly interested in the case and by them whispered to the public and the press, with the result that in Denver the family was at once sought out and interviewed. And shortly after, there was circulated in all the papers east and west a more or less complete account of the present state of Clyde's family, the nature of the mission conducted by them, as well as their narrow and highly individualistic religious beliefs and actions, even the statement that often in his early youth Clyde had been taken into the streets to sing and pray—a revelation which shocked Lycurgus and Twelfth Lake society about as much as it did him.

At the same time, Mrs. Griffiths, being an honest woman and whole-heartedly sincere in her faith and in the good of her work, did not hesitate to relate to reporter after reporter who called, all the details of the missionary work of her husband and herself in Denver and elsewhere. Also that neither Clyde nor any of the other children had ever enjoyed the opportunities that come to most. However, her boy, whatever the present charge might be, was not innately bad, and she could not be-

lieve that he was guilty of any such crime. It was all an unfortunate and accidental combination of circumstances which he would explain at the trial. However, whatever foolish thing he might have done, it was all to be attributed to an unfortunate accident which broke up the mission work in Kansas City a few years before and compelled the removal of the family from there to Denver, leaving Clyde to make his way alone. And it was because of advice from her that he had written her husband's rich brother in Lycurgus, which led to his going there —a series of statements which caused Clyde in his cell to tingle with a kind of prideful misery and resentment and forced him to write his mother and complain. Why need she always talk so much about the past and the work that she and his father were connected with, when she knew that he had never liked it and resented going on the streets? Many people didn't see it as she and his father did, particularly his uncle and cousin and all those rich people he had come to know, and who were able to make their way in so different and much more brilliant fashion. And now, as he said to himself, Sondra would most certainly read this—all that he had hoped to conceal.

Yet even in the face of all this, because of so much sincerity and force in his mother, he could not help but think of her with affection and respect, and because of her sure and unfailing love for him, with emotion. For in answer to his letter she wrote that she was sorry if she had hurt his feelings or injured him in any way. But must not the truth be shown always? The ways of God were for the best and surely no harm could spring from service in His cause. He must not ask her to lie. But if he said the word, she would so gladly attempt to raise the necessary money and come to his aid—sit in his cell and plan with him—holding his hands—but as Clyde so well knew and thought at this time and which caused him to decide that she must not come yet—demanding of him the truth—with those clear, steady blue eyes of hers looking into his own. He could not stand that now.

For, frowning directly before him, like a huge and basalt headland above a troubled and angry sea, was the trial itself, with all that it implied—the fierce assault of Mason which he could only confront, for the most part, with the lies framed for him by Jephson and Belknap. For, although he was constantly seeking to salve his conscience with the thought that at the last moment he had not had the courage to strike Roberta, nevertheless this other story was so terribly difficult for him to present and defend—a fact which both Belknap and Jephson realized and which caused the latter to appear most fre-

quently at Clyde's cell door with the greeting: "Well, how's tricks to-day?"

The peculiarly rusty and disheveled and indifferently tailored character of Jephson's suits! The worn and disarranged effect of his dark brown soft hat, pulled low over his eyes! His long, bony, knotty hands, suggesting somehow an enormous tensile strength. And the hard, small blue eyes filled with a shrewd, determined cunning and courage, with which he was seeking to inoculate Clyde, and which somehow did inoculate him!

"Any more preachers around to-day? Any more country girls or Mason's boys?" For during this time, because of the enormous interest aroused by the pitiable death of Roberta, as well as the evidence of her rich and beautiful rival, Clyde was being visited by every type of shallow crime-or-sex-curious country bumpkin lawyer, doctor, merchant, yokel evangelist or minister, all friends or acquaintances of one or another of the officials of the city, and who, standing before his cell door betimes, and at the most unexpected moments, and after surveying him with curious, or resentful, or horrified eyes, asked such questions as: "Do you pray, brother? Do you get right down on your knees and pray?" (Clyde was reminded of his mother and father at such times.) Had he made his peace with God? Did he actually deny that he had killed Roberta Alden? In the case of three country girls: "Would you mind telling us the name of the girl you are supposed to be in love with, and where she is now? We won't tell any one. Will she appear at the trial?" Questions which Clyde could do no more than ignore, or if not, answer as equivocally or evasively or indifferently as possible. For although he was inclined to resent them, still was he not being constantly instructed by both Belknap and Jephson that for the good of his own cause he must try to appear genial and civil and optimistic? Then there came also newspaper men, or women, accompanied by artists or photographers, to interview and make studies of him. But with these, for the most part and on the advice of Belknap and Jephson he refused to communicate or said only what he was told to say.

"You can talk all you want," suggested Jephson, genially, "so long as you don't say anything. And the stiff upper lip, you know. And the smile that won't come off, see? Not failing to go over that list, are you?" (He had provided Clyde with a long list of possible questions which no doubt would be asked him on the stand and which he was to answer according to answers typewritten beneath them, or to suggest something better. They all related to the trip to Big Bittern, his reason

for the extra hat, his change of heart—why, when, where.) "That's your litany, you know." And then he might light a cigarette without ever offering one to Clyde, since for the sake of a reputation for sobriety he was not to smoke here.

And for a time, after each visit, Clyde finding himself believing that he could and would do exactly as Jephson had said—walk briskly and smartly into court—bear up against every one, every eye, even that of Mason himself—forget that he was afraid of him, even when on the witness stand—forget all the terror of those many facts in Mason's possession, which he was to explain with this list of answers—forget Roberta and her last cry, and all the heartache and misery that went with the loss of Sondra and her bright world.

Yet, with the night having once more fallen, or the day dragging on with only the lean and bearded Kraut or the sly and evasive Sissell, or both, hanging about, or coming to the door to say, "Howdy!" or to discuss something that had occurred in town, or to play chess, or checkers, Clyde growing more and more moody and deciding, maybe, that there was no real hope for him after all. For how alone he was, except for his attorneys and mother and brother and sisters! Never a word from Sondra, of course. For along with her recovery to some extent from her original shock and horror, she was now thinking somewhat differently of him—that after all it was for love of her, perhaps, that he had slain Roberta and made himself the pariah and victim that he now was. Yet, because of the immense prejudice and horror expressed by the world, she was by no means able to think of venturing to send him a word. Was he not a murderer? And in addition, that miserable western family of his, pictured as street preachers, and he, too,—or as a singing and praying boy from a mission! Yet occasionally returning in thought, and this quite in spite of herself, to his eager, unreasoning and seemingly consuming enthusiasm for her. (How deeply he must have cared to venture upon so deadly a deed!) And hence wondering whether at some time, once this case was less violently before the public eye, it might not be possible to communicate with him in some guarded and unsigned way, just to let him know, perhaps, that because of his great love for her she desired him to know that he was not entirely forgotten. Yet as instantly deciding, *no,* no—her parents—if they should learn—or guess—or the public, or her one-time associates. Not now, oh, not now at least. Maybe later if he were set free—or—or—convicted—she couldn't tell. Yet suffering heart-aches for the most part—as

much as she detested and abhorred the horrible crime by which he had sought to win her.

And in the interim, Clyde in his cell, walking to and fro, or looking out on the dull square through the heavily barred windows, or reading and re-reading the newspapers, or nervously turning the pages of magazines or books furnished by his counsel, or playing chess or checkers, or eating his meals, which, by special arrangement on the part of Belknap and Jephson (made at the request of his uncle), consisted of better dishes than were usually furnished to the ordinary prisoner.

Yet with the iterated and reiterated thought, based on the seemingly irreparable and irreconcilable loss of Sondra, as to whether it was possible for him to go on with this—make this, as he at times saw it, almost useless fight.

At times, in the middle of the night or just before dawn, with all the prison silent—dreams—a ghastly picture of all that he most feared and that dispelled every trace of courage and drove him instantly to his feet, his heart pounding wildly, his eyes strained, a cold damp upon his face and hands. That chair, somewhere in the State penitentiary. He had read of it—how men died in it. And then he would walk up and down, thinking how, how, in case it did not come about as Jephson felt so sure that it would—in case he was convicted and a new trial refused—then, well—then, might one be able to break out of such a jail as this, maybe, and run away? These old brick walls. How thick were they? But was it possible that with a hammer or a stone, or something that some one might bring him—his brother Frank, or his sister Julia, or Ratterer, or Hegglund—if only he could get in communication with some one of them and get him or her to bring him something of the kind—— If only he could get a saw, to saw those bars! And then run, run, as he should have in those woods up there that time! But how? And whither?

CHAPTER XIX

OCTOBER 15—with gray clouds and a sharp, almost January wind that herded the fallen leaves into piles and then scurried them in crisp and windy gusts like flying birds here and there. And, in spite of the sense of struggle and tragedy in the minds of many, with an electric chair as the shadowy mental background to it all, a sense of holiday or festival, with hundreds of farmers, woodsmen, traders, entering in Fords and Buicks—farmer wives and husbands—daughters and sons—even infants in arms. And then idling about the public square long before the time for court to convene, or, as the hour neared, congregating before the county jail in the hope of obtaining a glimpse of Clyde, or before the courthouse door nearest the jail, which was to be the one entrance to the courtroom for the public and Clyde, and from which position they could see and assure entrance into the courtroom itself when the time came. And a flock of pigeons parading rather dismally along the cornices and gutters of the upper floor and roof of the ancient court.

And with Mason and his staff—Burton Burleigh, Earl Newcomb, Zillah Saunders, and a young Bridgeburg law graduate by the name of Manigault—helping to arrange the order of evidence as well as direct or instruct the various witnesses and venire-men who were already collecting in the ante-chamber of the now almost nationally known attorney for the people. And with cries outside of: "Peanuts!" "Popcorn!" "Hot dogs!" "Get the story of Clyde Griffiths, with all the letters of Roberta Alden. Only twenty-five cents!" (This being a set of duplicate copies of Roberta's letters which had been stolen from Mason's office by an intimate of Burton Burleigh's and by him sold to a penny-dreadful publisher of Binghamton, who immediately issued them in pamphlet form together with an outline of "the great plot" and Roberta's and Clyde's pictures.)

And in the meantime, over in the reception or conference room of the jail, Alvin Belknap and Reuben Jephson, side by side with Clyde, neatly arrayed in the very suit he had sought to sink forever in the waters of Lower Twelfth Lake. And with a new tie and shirt and shoes added in order to present him in his Lycurgus best. Jephson, long and lean and shabbily dressed

as usual, but with all of that iron and power that so impressed Clyde in every line of his figure and every movement or gesture of his body. Belknap—looking like an Albany beau—the one on whom was to fall the burden of the opening presentation of the case as well as the cross-examining, now saying: "Now you're not going to get frightened or show any evidence of nervousness at anything that may be said or done at any time, are you, Clyde? We're to be with you, you know, all through the trial. You sit right between us. And you're going to smile and look unconcerned or interested, just as you wish, but never fearful—but not too bold or gay, you know, so that they'd feel that you're not taking this thing seriously. You understand—just a pleasant, gentlemanly, and sympathetic manner all the time. And not frightened. For that will be certain to do us and you great harm. Since you're innocent, you have no real reason to be frightened—although you're sorry, of course. You understand all that, I know, by now."

"Yes, sir, I understand," replied Clyde. "I will do just as you say. Besides, I never struck her intentionally, and that's the truth. So why should I be afraid?" And here he looked at Jephson, on whom, for psychic reasons, he depended most. In fact the words he had just spoken were the very words which Jephson had so drilled into him during the two months just past. And catching the look, Jephson now drew closer and fixing Clyde with his gimlet and yet encouraging and sustaining blue eyes, began:

"You're not guilty! You're not guilty, Clyde, see? You understand that fully by now, and you must always believe and remember that, because it's true. You didn't intend to strike her, do you hear? You swear to that. You have sworn it to me and Belknap here, and we believe you. Now, it doesn't make the least bit of difference that because of the circumstances surrounding all this we are not going to be able to make the average jury see this or believe it just as you tell it. That's neither here nor there. I've told you that before. You know what the truth is—and so do we. *But,* in order to get justice for you, we've had to get up something else—a dummy or substitute for the real fact, which is that you didn't strike her intentionally, but which we cannot hope to make them see without disguising it in some way. You get that, don't you?"

"Yes, sir," replied Clyde, always over-awed and intrigued by this man.

"And for that reason, as I've so often told you, we've invented this other story about a change of heart. It's not quite true as

to time, but it is true that you did experience a change of heart there in the boat. And that's our justification. But they'd never believe that under all of the peculiar circumstances, so we're merely going to move that change of heart up a little, see? Make it before you ever went into that boat at all. And while we know it isn't true that way, still neither is the charge that you intentionally struck her true, and they're not going to electrocute you for something that isn't true—not with my consent, at least." He looked into Clyde's eyes for a moment more, and then added: "It's this way, Clyde. It's like having to pay for potatoes, or for suits of clothes, with corn or beans instead of money, when you have money to pay with but when, because of the crazy notions on the part of some one, they won't believe that the money you have is genuine. So you've got to use the potatoes or beans. And beans is what we're going to give 'em. But the justification is that you're not guilty. You're not guilty. You've sworn to me that you didn't intend to strike her there at the last, whatever you might have been provoked to do at first. And that's enough for me. You're not guilty."

And here, firmly and convincingly, which was the illusion in regard to his own attitude which he was determined to convey to Clyde, he laid hold of his coat lapels, and after looking fixedly into his somewhat strained and now nervous brown eyes, added: "And now, whenever you get to feeling weak or nervous, or if, when you go on the stand, you think Mason is getting the best of you, I want you to remember this—just say to yourself—'I'm not guilty! I'm not guilty! And they can't fairly convict me unless I really am.' And if that don't pull you together, look at me. I'll be right there. All you have to do, if you feel yourself getting rattled, is to look at me—right into my eyes, just as I'm looking at you now—and then you'll know that I'm wanting you to brace up and do what I'm telling you to do now—swear to the things that we are asking you to swear to, however they may look like lies, and however you may feel about them. I'm not going to have you convicted for something you didn't do, just because you can't be allowed to swear to what is the truth—not if I can help it. And now that's all."

And here he slapped him genially and heartily on the back, while Clyde, strangely heartened, felt, for the time being at least, that certainly he could do as he was told, and would.

And then Jephson, taking out his watch and looking first at Belknap, then out of the nearest window through which were to be seen the already assembled crowds—one about the courthouse steps; a second, including newspapermen and women, newspaper

photographers and artists, gathered closely before the jail walk, and eagerly waiting to "snap" Clyde or any one connected with this case—went calmly on with:

"Well, it's about time, I guess. Looks as though all Cataraqui would like to get inside. We're going to have quite an audience." And turning to Clyde once more, he added: "Now, you don't want to let those people disturb you, Clyde. They're nothing but a lot of country people come to town to see a show."

And then the two of them, Belknap and Jephson, going out. And Kraut and Sissell coming in to take personal charge of Clyde, while the two lawyers, passing amid whispers, crossed over to the court building in the square of brown grass beyond.

And after them, and in less than five minutes, and preceded by Slack and Sissell and followed by Kraut and Swenk—yet protected on either side by two extra deputies in case there should be an outbreak or demonstration of any kind—Clyde himself, attempting to look as jaunty and nonchalant as possible, yet because of the many rough and strange faces about him—men in heavy racoon coats and caps, and with thick whiskers, or in worn and faded and nondescript clothes such as characterized many of the farmers of this region, accompanied by their wives and children, and all staring so strangely and curiously—he felt not a little nervous, as though at any moment there might be a revolver shot, or some one might leap at him with a knife—the deputies with their hands on their guns lending not a little to the reality of his mood. Yet only cries of: "Here he comes! Here he comes!" "There he is!" "Would you believe that he could do a thing like that?"

And then the cameras clicking and whirring and his two protectors shouldering closer and closer to him while he shrank down within himself mentally.

And then a flight of five brown stone steps leading up to an old courthouse door. And beyond that, an inner flight of steps to a large, long, brown, high-ceilinged chamber, in which, to the right and left, and in the rear facing east, were tall, thin, round-topped windows, fitted with thin panes, admitting a flood of light. And at the west end, a raised platform, with a highly ornamental, dark brown carved bench upon it. And behind it, a portrait—and on either side, north and south, and at the rear, benches and benches in rows—each tier higher than the other, and all crowded with people, the space behind them packed with standing bodies, and all apparently, as he entered, leaning and craning and examining him with sharp keen eyes, while there went about a conversational buzz or brrh. He

could hear a general sssss—pppp—as he approached and passed through a gate to an open space beyond it, wherein, as he could see, were Belknap and Jephson at a table, and between them a vacant chair for him. And he could see and feel the eyes and faces on which he was not quite willing to look.

But directly before him, at another table in the same square, but more directly below the raised platform at the west end, as he could see now, were Mason and several men whom he seemed to recollect—Earl Newcomb and Burton Burleigh and yet another man whom he had never seen before, all four turning and gazing at him as he came.

And about this inner group, an outer circle of men and women writers and sketch artists.

And then, after a time, recalling Belknap's advice, he managed to straighten up and with an air of studied ease and courage—which was belied to a certain extent by his strained, pale face and somewhat hazy stare—look at the writers and artists who were either studying or sketching him, and even to whisper: "Quite a full house, eh?" But just then, and before he could say anything more, a resounding whack, whack, from somewhere. And then a voice: "Order in the Court! His Honor, the Court! Everybody please rise!" And as suddenly the whispering and stirring audience growing completely silent. And then, through a door to the south of the dais, a large, urbane and florid and smooth-faced man, who, in an ample black gown, walked swiftly to the large chair immediately behind the desk, and after looking steadily upon all before him, but without appearing to see any one of them, seated himself. Whereupon every one assembled in the courtroom sat down.

And then to the left, yet below the judge, at a smaller desk, a smaller and older individual standing and calling, "Oyez! Oyez! All persons having business before the honorable, the Supreme Court of the State of New York, County of Cataraqui, draw near and give attention. This court is now in session!"

And after that this same individual again rising and beginning: "The State of New York against Clyde Griffiths." Then Mason, rising and standing before his table, at once announced: "The People are ready." Whereupon Belknap arose, and in a courtly and affable manner, stated: "The defendant is ready."

Then the same clerk reached into a square box that was before him, and drawing forth a piece of paper, called "Simeon Dinsmore," whereupon a little, hunched and brown-suited man, with claw-like hands, and a ferret-like face, immediately scuttled

to the jury box and was seated. And once there he was approached by Mason, who, in a brisk manner—his flat-nosed face looking most aggressive and his strong voice reaching to the uttermost corners of the court, began to inquire as to his age, his business, whether he was single or married, how many children he had, whether he believed or did not believe in capital punishment. The latter question as Clyde at once noted seemed to stir in him something akin to resentment or suppressed emotion of some kind, for at once and with emphasis, he answered: "I most certainly do—for some people"—a reply which caused Mason to smile slightly and Jephson to turn and look toward Belknap, who mumbled sarcastically: "And they talk about the possibility of a fair trial here." But at the same time Mason feeling that this very honest, if all too convinced farmer, was a little too emphatic in his beliefs, saying: "With the consent of the Court, the People will excuse the talesman." And Belknap, after an inquiring glance from the Judge, nodding his agreement, at which the prospective juror was excused.

And the clerk, immediately drawing out of the box a second slip of paper, and then calling: "Dudley Sheerline!" Whereupon, a thin, tall man of between thirty-eight and forty, neatly dressed and somewhat meticulous and cautious in his manner, approached and took his place in the box. And Mason once more began to question him as he had the other.

In the meantime, Clyde, in spite of both Belknap's and Jephson's preliminary precautions, was already feeling stiff and chill and bloodless. For, decidedly, as he could feel, this audience was inimical. And amid this closely pressing throng, as he now thought, with an additional chill, there must be the father and mother, perhaps also the sisters and brothers, of Roberta, and all looking at him, and hoping with all their hearts, as the newspapers during the weeks past informed him, that he would be made to suffer for this.

And again, all those people of Lycurgus and Twelfth Lake, no one of whom had troubled to communicate with him in any way, assuming him to be absolutely guilty, of course—were any of those here? Jill or Gertrude or Tracy Trumbull, for instance? Or Wynette Phant or her brother? She had been at that camp at Bear Lake the day he was arrested. His mind ran over all the social personages whom he had encountered during the last year and who would now see him as he was—poor and commonplace and deserted, and on trial for such a crime as this. And after all his bluffing about his rich connections here and in the west. For now, of course, they would believe him as terrible

as his original plot, without knowing or caring about his side of the story—his moods and fears—that predicament that he was in with Roberta—his love for Sondra and all that she had meant to him. They wouldn't understand that, and he was not going to be allowed to tell anything in regard to it, even if he were so minded.

And yet, because of the advice of Belknap and Jephson, he must sit up and smile, or at least look pleasant and meet the gaze of every one boldly and directly. And in consequence, turning, and for the moment feeling absolutely transfixed. For there—God, what a resemblance!—to the left of him on one of those wall benches, was a woman or girl who appeared to be the living image of Roberta! It was that sister of hers—Emily—of whom she had often spoken—but oh, what a shock! His heart almost stopped. It might even be Roberta! And transfixing him with what ghostly, and yet real, and savage and accusing eyes! And next to her another girl, looking something like her, too—and next to her that old man, Roberta's father—that wrinkled old man whom he had encountered that day he had called at his farm door for information, now looking at him almost savagely, a gray and weary look that said so plainly: "You murderer! You murderer!" And beside him a mild and small and ill-looking woman of about fifty, veiled and very shrunken and sunken-eyed, who at his glance dropped her own eyes and turned away, as if stricken with a great pain, not hate. Her mother—no doubt of it. Oh, what a situation was this! How unthinkably miserable! His heart fluttered. His hands trembled.

So now to stay himself, he looked down, first at the hands of Belknap and Jephson on the table before him, since each was toying with a pencil poised above the pad of paper before them, as they gazed at Mason and whoever was in the jury box before him—a foolish-looking fat man now. What a difference between Jephson's and Belknap's hands—the latter so short and soft and white, the former's so long and brown and knotty and bony. And Belknap's pleasant and agreeable manner here in court—his voice—"I think I will ask the juror to step down"—as opposed to Mason's revolver-like "Excused!" or Jephson's slow and yet powerful, though whispered, "Better let him go, Alvin. Nothing in him for us." And then all at once Jephson saying to him: "Sit up! Sit up! Look around! Don't sag down like that. Look people in the eye. Smile naturally, Clyde, if you're going to smile at all. Just look 'em in the eye. They're not going to hurt you. They're just a lot of farmers out sightseeing."

But Clyde, noting at once that several reporters and artists were studying and then sketching or writing of him, now flushed hotly and weakly, for he could feel their eager eyes and their eager words as clearly as he could hear their scratching pens. And all for the papers—his blanching face and trembling hands —they would have that down—and his mother in Denver and everybody else there in Lycurgus would see and read—how he had looked at the Aldens and they had looked at him and then he had looked away again. Still—still—he must get himself better in hand—sit up once more and look about—or Jephson would be disgusted with him. And so once more he did his best to crush down his fear, to raise his eyes and then turn slightly and look about.

But in doing so, there next to the wall, and to one side of that tall window, and just as he had feared, was Tracy Trumbull, who evidently because of the law interest or his curiosity and what not—no pity or sympathy for him, surely—had come up for this day anyhow, and was looking, not at him for the moment, thank goodness, but at Mason, who was asking the fat man some questions. And next to him Eddie Sells, with near-sighted eyes equipped with thick lenses of great distance-power, and looking in Clyde's direction, yet without seeing him apparently, for he gave no sign. Oh, how trying all this!

And five rows from them again, in another direction, Mr. and Mrs. Gilpin, whom Mason had found, of course. And what would they testify to now? His calling on Roberta in her room there? And how secret it had all been? That would be bad, of course. And of all people, Mr. and Mrs. George Newton! What were they going to put them on the stand for? To tell about Roberta's life before she got to going with him, maybe? And that Grace Marr, whom he had seen often but met only once out there on Crum Lake, and whom Roberta had not liked any more. What would she have to say? She could tell how he had met Roberta, of course, but what else? And then—but, no, it could not be—and yet—yet, it was, too—surely—that Orrin Short, of whom he had asked concerning Glenn. Gee!—he was going to tell about that now, maybe—no doubt of it. How people seemed to remember things—more than ever he would have dreamed they would have.

And again, this side of that third window from the front, but beyond that dreaded group of the Aldens, that very large and whiskered man who looked something like an old-time Quaker turned bandit—Heit was his name. He had met him at Three Mile Bay, and again on that day on which he had been taken up

to Big Bittern against his will. Oh, yes, the coroner he was. And beside him, that innkeeper up there who had made him sign the register that day. And next to him the boathouse-keeper who had rented him the boat. And next to him, that tall, lank guide who had driven him and Roberta over from Gun Lodge, a brown and wiry and loutish man who seemed to pierce him now with small, deep-set, animal-like eyes, and who most certainly was going to testify to all the details of that ride from Gun Lodge. Would his nervousness on that day, and his foolish qualms, be as clearly remembered by him as they were now by himself? And if so, how would that affect his plea of a change of heart? Would he not better talk all that over again with Jephson?

But this man Mason! How hard he was! How energetic! And how he must have worked to get all of these people here to testify against him! And now here he was, exclaiming as he chanced to look at him, and as he had in at least the last dozen cases (yet with no perceptible result in so far as the jury box was concerned), "Acceptable to the People!" But, invariably, whenever he had done so, Jephson had merely turned slightly, but without looking, and had said: "Nothing in him for us, Alvin. As set as a bone." And then Belknap, courteous and bland, had challenged for cause and usually succeeded in having his challenge sustained.

But then at last, and oh, how agreeably, the clerk of the court announcing in a clear, thin, rasping and aged voice, a recess until two P. M. And Jephson smilingly turning to Clyde with: "Well, Clyde, that's the first round—not so very much to it, do you think? And not very hard either, is it? Better go over there and get a good meal, though. It'll be just as long and dull this afternoon.

And in the meantime, Kraut and Sissell, together with the extra deputies, pushing close and surrounding him. And then the crowding and swarming and exclaiming: "There he is! There he is! Here he comes! Here! Here!" And a large and meaty female pushing as close as possible and staring directly into his face, exclaiming as she did so: "Let me see him! I just want to get a good look at you, young man. I have two daughters of my own." But without one of all those of Lycurgus or Twelfth Lake whom he had recognized in the public benches, coming near him. And no glimpse of Sondra anywhere, of course. For as both Belknap and Jephson had repeatedly assured him, she would not appear. Her name was not even to be mentioned, if possible. The Griffiths, as well as the Finchleys, were opposed.

CHAPTER XX

AND then five entire days consumed by Mason and Belknap in selecting a jury. But at last the twelve men who were to try Clyde, sworn and seated. And such men—odd and grizzled, or tanned and wrinkled, farmers and country storekeepers, with here and there a Ford agent, a keeper of an inn at Tom Dixon's Lake, a salesman in Hamburger's dry goods store at Bridgeburg, and a peripatetic insurance agent residing in Purday just north of Grass Lake. And with but one exception, all married. And with but one exception, all religious, if not moral, and all convinced of Clyde's guilt before ever they sat down, but still because of their almost unanimous conception of themselves as fair and open-minded men, and because they were so interested to sit as jurors in this exciting case, convinced that they could pass fairly and impartially on the facts presented to them.

And so, all rising and being sworn in.

And at once Mason rising and beginning: "Gentlemen of the jury."

And Clyde, as well as Belknap and Jephson, now gazing at them and wondering what the impression of Mason's opening charge was likely to be. For a more dynamic and electric prosecutor under these particular circumstances was not to be found. This was his opportunity. Were not the eyes of all the citizens of the United States upon him? He believed so. It was as if some one had suddenly exclaimed: "Lights! Camera!"

"No doubt many of you have been wearied, as well as puzzled, at times during the past week," he began, "by the exceeding care with which the lawyers in this case have passed upon the panels from which you twelve men have been chosen. It has been no light matter to find twelve men to whom all the marshaled facts in this astonishing cause could be submitted and by them weighed with all the fairness and understanding which the law commands. For my part, the care which I have exercised, gentlemen, has been directed by but one motive—that the state shall have justice done. No malice, no pre-conceived notions of any kind. So late as July 9th last I personally was not even aware of the existence of this defendant, nor of his victim, nor of the crime with which he is now charged. But, gentlemen, as shocked and

unbelieving as I was at first upon hearing that a man of the age, training and connections of the defendant here could have placed himself in a position to be accused of such an offense, step by step I was compelled to alter and then dismiss forever from my mind my original doubts and to conclude from the mass of evidence that was literally thrust upon me, that it was my duty to prosecute this action in behalf of the people.

"But, however that may be, let us proceed to the facts. There are two women in this action. One is dead. The other" (and he now turned toward where Clyde sat, and here he pointed a finger in the direction of Belknap and Jephson), "by agreement between the prosecution and the defense is to be nameless here, since no good can come from inflicting unnecessary injury. In fact, the sole purpose which I now announce to you to be behind every word and every fact as it will be presented by the prosecution is that exact justice, according to the laws of this state and the crime with which this defendant is charged, shall be done. *Exact justice,* gentlemen, exact and fair. But if you do not act honestly and render a true verdict according to the evidence, the people of the state of New York and the people of the county of Cataraqui will have a grievance and a serious one. For it is they who are looking to you for a true accounting for your reasoning and your final decision in this case."

And here Mason paused, and then turning dramatically toward Clyde, and with his right index finger pointing toward him at times, continued: "The people of the State of New York *charge,"* (and he hung upon this one word as though he desired to give it the value of rolling thunder), "that the crime of murder in the first degree has been committed by the prisoner at the bar—Clyde Griffiths. They *charge* that he willfully, and with malice and cruelty and deception, murdered and then sought to conceal forever from the knowledge and the justice of the world, the body of Roberta Alden, the daughter of a farmer who has for years resided near the village of Biltz, in Mimico County. They *charge"* (and here Clyde, because of whispered advice from Jephson, was leaning back as comfortably as possible and gazing as imperturbably as possible upon the face of Mason, who was looking directly at him) "that this same Clyde Griffiths, before ever this crime was committed by him, plotted for weeks the plan and commission of it, and then, with malice aforethought and in cold blood, executed it.

"And in charging these things, the people of the State of New York expect to, and will, produce before you substantiations of

every one of them. You will be given facts, and of these facts you, not I, are to be the sole judge."

And here he paused once more, and shifting to a different physical position while the eager audience crowded and leaned forward, hungry and thirsty for every word he should utter, he now lifted one arm and dramatically pushing back his curly hair, resumed:

"Gentlemen, it will not take me long to picture, nor will you fail to perceive for yourselves as this case proceeds, the type of girl this was whose life was so cruelly blotted out beneath the waters of Big Bittern. All the twenty years of her life" (and Mason knew well that she was twenty-three and two years older than Clyde) "no person who ever knew her ever said one word in criticism of her character. And no evidence to that effect, I am positive, will be introduced in this trial. Somewhat over a year ago—on July 19—she went to the city of Lycurgus, in order that by working with her own hands she might help her family." (And here the sobs of her parents and sisters and brothers were heard throughout the courtroom.)

"Gentlemen," went on Mason, and from this point carrying on the picture of Roberta's life from the time she first left home to join Grace Marr until, having met Clyde on Crum Lake and fallen out with her friend and patrons, the Newtons, because of him, she accepted his dictum that she live alone, amid strange people, concealing the suspicious truth of this from her parents, and then finally succumbing to his wiles—the letters she had written him from Biltz detailing every single progressive step in this story. And from there, by the same meticulous process, he proceeded to Clyde—his interest in the affairs of Lycurgus society and the rich and beautiful Miss X, who because of a purely innocent and kindly, if infatuated, indication on her part that he might hope to aspire to her hand—had unwittingly evoked in him a passion which had been the cause of the sudden change in his attitude and emotions toward Roberta, resulting, as Mason insisted he would show, in the plot that had resulted in Roberta's death.

"But who is the individual," he suddenly and most dramatically exclaimed at this point, "against whom I charge all these things? There he sits! Is he the son of wastrel parents—a product of the slums—one who had been denied every opportunity for a proper or honorable conception of the values and duties of a decent and respectable life? Is he? On the contrary. His father is of the same strain that has given Lycurgus one of its largest and most constructive industries—the Griffiths Collar &

Shirt Company. He was poor—yes—no doubt of that. But not more so than Roberta Alden—and her character appears not to have been affected by her poverty. His parents in Kansas City, Denver, and before that Chicago and Grand Rapids, Michigan, appear to have been unordained ministers of the proselytizing and mission-conducting type—people who, from all I can gather, are really, sincerely religious and right-principled in every sense. But this, their oldest son, and the one who might have been expected to be deeply influenced by them, early turned from their world and took to a more garish life. He became a bell-boy in a celebrated Kansas City hotel, the Green-Davidson.

And now he proceeded to explain that Clyde had ever been a rolling stone—one who, by reason of some quirk of temperament, perhaps, perferred to wander here and there. Later, as he now explained, he had been given an important position as head of a department in the well-known factory of his uncle at Lycurgus. And then gradually he was introduced into the circles in which his uncle and his children were familiar. And his salary was such that he could afford to keep a room in one of the better residences of the city, while the girl he had slain lived in a mean room in a back street.

"And yet," he continued, "how much has been made here of the alleged youth of this defendant?" (Here he permitted himself a scornful smile.) "He has been called by his counsel and others in the newspapers a boy, over and over again. He is not a boy. He is a bearded man. He has had more social and educational advantages than any one of you in the jury box. He has traveled. In hotels and clubs and the society with which he was so intimately connected in Lycurgus, he has been in contact with decent, respectable, and even able and distinguished people. Why, as a matter of fact, at the time of his arrest two months ago, he was part of as smart a society and summer resort group as this region boasts. Remember that! His mind is a mature, not an immature one. It is fully developed and balanced perfectly.

"Gentlemen, as the state will soon proceed to prove," he went on, "it was no more than four months after his arrival in Lycurgus that this dead girl came to work for this defendant in the department of which he was the head. And it was not more than two months after that before he had induced her to move from the respectable and religious home which she had chosen in Lycurgus, to one concerning which she knew nothing and the principal advantage of which, as he saw it, was that it offered secrecy and seclusion and freedom from observation for

that vile purpose which already he entertained in regard to her.

"There was a rule of the Griffiths Company, as we will later show in this trial, which explains much—and that was that no superior officer or head of any department was permitted to have anything to do with any girls working under him, or for the factory, in or out of the factory. It was not conducive to either the morals or the honor of those working for this great company, and they would not allow it. And shortly after coming there, this man had been instructed as to that rule. But did that deter him? Did the so recent and favorable consideration of his uncle in any way deter him? Not in the least. Secrecy! Secrecy! From the very beginning! Seduction! Seduction! The secret and intended and immoral and illegal and socially unwarranted and condemned use of her body outside the regenerative and ennobling pale of matrimony!

"That was his purpose, gentlemen! But was it generally known by any one in Lycurgus or elsewhere that such a relationship as this existed between him and Roberta Alden? Not a soul! *Not a soul!,* as far as I have been able to ascertain, was ever so much as partially aware of this relationship until after this girl was dead. Not a soul! Think of that!

"Gentlemen of the jury," and here his voice took on an almost reverential tone, "Roberta Alden loved this defendant with all the strength of her soul. She loved him with that love which is the crowning mystery of the human brain and the human heart, that transcends in its strength and its weakness all fear of shame or punishment from even the immortal throne above. She was a true and human and decent and kindly girl—a passionate and loving girl. And she loved as only a generous and trusting and self-sacrificing soul can love. And loving so, in the end she gave to him all that any woman can give the man she loves.

"Friends, this thing has happened millions of times in this world of ours, and it will happen millions and millions of times in the days to come. It is not new and it will never be old.

"But in January or February last, this girl, who is now dead in her grave, was compelled to come to this defendant, Clyde Griffiths, and tell him that she was about to become a mother. We shall prove to you that then and later she begged him to go away with her and make her his wife.

"But did he? Would he? Oh, no! For by that time a change had come over the dreams and the affections of Clyde Griffiths. He had had time to discover that the name of Griffiths in Lycurgus was one that would open the doors of Lycurgus exclusive circles—that the man who was no one in Kansas

City or Chicago—was very much of a person here, and that it would bring him in contact with girls of education and means, girls who moved far from the sphere to which Roberta Alden belonged. Not only that, but he had found one girl to whom, because of her beauty, wealth, position, he had become enormously attached and beside her the little farm and factory girl in the pathetically shabby and secret room to which he had assigned her, looked poor indeed—good enough to betray but not good enough to marry. And he would not." Here he paused, but only for a moment, then went on:

"But at no point have I been able to find the least modification or cessation of any of these social activities on his part which so entranced him. On the contrary, from January to July fifth last, and after—yes, even after she was finally compelled to say to him that unless he could take her away and marry her, she would have to appeal to the sense of justice in the community in which they moved, and after she was cold and dead under the waters of Big Bittern—dances, lawn fêtes, automobile parties, dinners, gay trips to Twelfth Lake and Bear Lake, and without a thought, seemingly, that her great moral and social need should modify his conduct in any way."

And here he paused and gazed in the direction of Belknap and Jephson, who in turn, were not sufficiently disturbed or concerned to do more than smile, first at him and then at each other, although Clyde, terrorized by the force and the vehemence of it all, was chiefly concerned to note how much of exaggeration and unfairness was in all this.

But even as he was thinking so, Mason was continuing with: "But by this time, gentlemen, as I have indicated, Roberta Alden had become insistent that Griffiths make her his wife. And this he promised to do. Yet, as all the evidence here will show, he never intended to do anything of the kind. On the contrary, when her condition became such that he could no longer endure her pleas or the danger which her presence in Lycurgus unquestionably spelled for him, he induced her to go home to her father's house, with the suggestion, apparently, that she prepare herself by making some necessary clothes, against the day when he would come for her and remove her to some distant city where they would not be known, yet where as his wife she could honorably bring their child into the world. And according to her letters to him, as I will show, that was to have been in three weeks from the time she departed for her home in Biltz. But did he come for her as he had promised? No, he never did.

"Eventually, and solely because there was no other way out, he

permitted her to come to him—on July sixth last—exactly two days before her death. But not before—but wait!——In the meantime, or from June fifth to July sixth, he allowed her to brood in that little, lonely farm-house on the outskirts of Biltz in Mimico County, with the neighbors coming in to watch and help her make some clothes, which even then she did not dare announce as her bridal trousseau. And she suspected and feared that this defendant would fail her. For daily, and sometimes twice daily, she wrote him, telling him of her fears and asking him to assure her by letter or word in some form that he would come and take her away.

"But did he even do that? Never by letter! *Never!* Oh, no, gentlemen, oh, no! On the contrary some telephone messages —things that could not be so easily traced or understood. And these so few and brief that she herself complained bitterly of his lack of interest and consideration for her at this time. So much so that at the end of five weeks, growing desperate, she wrote" (and here Mason picked from a collection of letters on the table behind him a particular letter, and read): "'This is to tell you that unless I hear from you either by telephone or letter before noon Friday, I will come to Lycurgus and the world will know how you have treated me.' Those are the words, gentlemen, that this poor girl was at last compelled to write.

"But did Clyde Griffiths want the world to know how he had treated her? Of course not! And there and then began to form in his mind a plan by which he could escape exposure and seal Roberta Alden's lips forever. And, gentlemen, the state will prove that he did so close her mouth."

At this point Mason produced a map of the Adirondacks which he had had made for the purpose, and on which in red ink were traced the movements of Clyde up to and after her death—up to the time of his arrest at Big Bear. Also, in doing this, he paused to tell the jury of Clyde's well-conceived plan of hiding his identity, the various false registrations, the two hats. Here also he explained that on the train between Fonda and Utica, as again between Utica and Grass Lake, he had not ridden in the same car with Roberta. And then he announced:

"Don't forget, gentlemen, that although he had previously indicated to Roberta that this was to be their wedding journey, he did not want anybody to know that he was with his prospective bride—no, not even after they had reached Big Bittern. For he was seeking, not to marry but to find a wilderness in which to snuff out the life of this girl of whom he had tired. But did that prevent him, twenty-four and forty-eight hours

before that time, from holding her in his arms and repeating the promises he had no intention of keeping? Did it? I will show you the registers of the two hotels in which they stayed, and where, because of their assumed approaching marriage, they occupied a single room together. Yet the only reason it was forty-eight instead of twenty-four hours was that he had made a mistake in regard to the solitude of Grass Lake. Finding it brisk with life, the center of a summer religious colony, he decided to leave and go to Big Bittern, which was more lonely. And so you have the astounding and bitter spectacle, gentlemen, of a supposedly innocent and highly misunderstood young man dragging this weary and heart-sick girl from place to place, in order to find a lake deserted enough in which to drown her. And with her but four months from motherhood!

"And then, having arrived at last at one lake lonely enough, putting her in a boat and taking her out from the inn where he had again falsely registered as Mr. Clifford Golden and wife, to her death. The poor little thing imagined that she was going for a brief outing before that marriage of which he talked and which was to seal and sanctify it. To seal and sanctify it! To seal and sanctify, as closing waters seal and sanctify, but in no other way—no other way. And with him walking, whole and sly—as a wolf from its kill—to freedom, to marriage, to social and material and affectionate bliss and superiority and ease, while she slept still and nameless in her watery grave.

"But, oh, gentlemen, the ways of nature, or of God, and the Providence that shapes our ends, rough-hew them how we may! It is man who proposes, but God—God—who disposes!

"The defendant is still wondering, I am sure, as to how I know that she thought she was still going to be married after leaving the inn at Big Bittern. And I have no doubt that he still has some comforting thoughts to the effect that I cannot really and truly know it. But how shrewd and deep must be that mind that would foresee and forestall all the accidents and chances of life. For, as he sits there now, secure in the faith that his counsel may be able to extract him safely from this" (and at this Clyde sat bolt upright, his hair tingling, and his hands concealed beneath the table, trembling slightly), "he does not know that that girl, while in her room in the Grass Lake Inn, had written her mother a letter, which she had not had time to mail, and which was in the pocket of her coat left behind because of the heat of the day, and because she imagined she was coming back, of course. And which is here now upon this table."

At this Clyde's teeth fairly chattered. He shook as with a chill. To be sure, she had left her coat behind! And Belknap and Jephson also sat up, wondering what this could be. How fatally, if at all, could it mar or make impossible the plan of defense which they had evolved? They could only wait and see.

"But in that letter," went on Mason, "she tells why she was up there—to be married, no less" (and at this point Jephson and Belknap, as well as Clyde, heaved an enormous sigh of relief—it was directly in the field of their plan) "and within a day or two," continued Mason, thinking still that he was literally riddling Clyde with fear. "But Griffiths, or Graham, of Albany, or Syracuse, or anywhere, knew better. He knew he was not coming back. And he took all of his belongings with him in that boat. And all afternoon long, from noon until evening, he searched for a spot on that lonely lake—a spot not easily observed from any point of the shore, as we will show. And as evening fell, he found it. And walking south through the woods afterwards, with a new straw hat upon his head, a clean, dry bag in his hand, he imagined himself to be secure. Clifford Golden was no more—Carl Graham was no more—drowned—at the bottom of Big Bittern, along with Roberta Alden. But Clyde Griffiths was alive and free, and on his way to Twelfth Lake, to the society he so loved.

"Gentlemen, Clyde Griffiths killed Roberta Alden before he put her in that lake. He beat her on the head and face, and he believed no eye saw him. But, as her last death cry rang out over the water of Big Bittern, there was a witness, and before the prosecution has closed its case, that witness will be here to tell you the story."

Mason had no eye witness, but he could not resist this opportunity to throw so disrupting a thought into the opposition camp.

And decidedly, the result was all that he expected, and more. For Clyde, who up to this time and particularly since the thunderbolt of the letter, had been seeking to face it all with an imperturbable look of patient innocence, now stiffened and then wilted. A witness! And here to testify! God! Then he, whoever he was, lurking on the lone shore of the lake, had seen the unintended blow, had heard her cries—had seen that he had not sought to aid her! Had seen him swim to shore and steal away—maybe had watched him in the woods as he changed his clothes. God! His hands now gripped the sides of the chair, and his head went back with a jerk as if from a powerful blow, for that meant death—his sure execution. God! No hope now!

His head drooped and he looked as though he might lapse into a state of coma.

As to Belknap, Mason's revelation at first caused him to drop the pencil with which he was making notes, then next to stare in a puzzled and dumbfounded way, since they had no evidence wherewith to forefend against such a smash as this—But as instantly recalling how completely off his guard he must look, recovering. Could it be that Clyde might have been lying to them, after all—that he had killed her intentionally, and before this unseen witness? If so it might be necessary for them to withdraw from such a hopeless and unpopular case, after all.

As for Jephson, he was for the moment stunned and flattened. And through his stern and not easily shakable brain raced such thoughts as—was there really a witness?—has Clyde lied?—then the die was cast, for had he not already admitted to them that he had struck Roberta, and the witness must have seen that? And so the end of any plea of a change of heart. Who would believe that, after such testimony as this?

But because of the sheer contentiousness and determination of his nature, he would not permit himself to be completely baffled by this smashing announcement. Instead he turned, and after surveying the flustered and yet self-chastising Belknap and Clyde, commented: "I don't believe it. He's lying, I think, or bluffing. At any rate, we'll wait and see. It's a long time between now and our side of the story. Look at all those witnesses there. And we can cross-question them by the week, if we want to—until he's out of office. Plenty of time to do a lot of things—find out about this witness in the meantime. And besides, there's suicide, or there's the actual thing that happened. We can let Clyde swear to what did happen—a cataleptic trance—no courage to do it. It's not likely anybody can see that at five hundred feet." And he smiled grimly. At almost the same time he added, but not for Clyde's ears: "We might be able to get him off with twenty years at the worst, don't you think?"

CHAPTER XXI

AND then witnesses, witnesses, witnesses—to the number of one hundred and twenty-seven. And their testimony, particularly that of the doctors, three guides, the woman who heard Roberta's last cry, all repeatedly objected to by Jephson and Belknap, for upon such weakness and demonstrable error as they could point out depended the plausibility of Clyde's daring defense. And all of this carrying the case well into November, and after Mason had been overwhelmingly elected to the judgeship which he had so craved. And because of the very vigor and strife of the trial, the general public from coast to coast taking more and more interest. And obviously, as the days passed and the newspaper writers at the trial saw it, Clyde was guilty. Yet he, because of the repeated commands of Jephson, facing each witness who assailed him with calm and even daring.

"Your name?"

"Titus Alden."

"You are the father of Roberta Alden?"

"Yes, sir."

"Now, Mr. Alden, just tell the jury how and under what circumstances it was that your daughter Roberta happened to go to Lycurgus."

"Objected to. Irrelevant, immaterial, incompetent," snapped Belknap.

"I'll connect it up," put in Mason, looking up at the Judge, who ruled that Titus might answer subject to a motion to strike out his testimony if not "connected up."

"She went there to get work," replied Titus.

"And why did she go there to get work?"

Again objection, and the old man allowed to proceed after the legal formalities had again been complied with.

"Well, the farm we have over there near Biltz hasn't ever paid so very well, and it's been necessary for the children to help out and Bobbie being the oldest——"

"Move to strike out!" "Strike it out."

" 'Bobbie' was the pet name you gave your daughter Roberta, was it?"

"Objected to," etc., etc. "Exception."

"Yes, sir. 'Bobbie' was what we sometimes called her around there—just Bobbie."

And Clyde listening intently and enduring without flinching the stern and accusing stare of this brooding Priam of the farm, wondering at the revelation of his former sweetheart's pet name. He had nicknamed her "Bert"; she had never told him that at home she was called "Bobbie."

And amid a fusillade of objections and arguments and rulings, Alden continuing, under the leading of Mason, to recite how she had decided to go to Lycurgus, after receipt of a letter from Grace Marr, and stop with Mr. and Mrs. Newton. And after securing work with the Griffiths Company, how little the family had seen of her until June fifth last, when she had returned to the farm for a rest and in order to make some clothes.

"No announcement of any plans for marriage?"

"None."

But she had written a number of long letters—to whom he did not know at the time. And she had been depressed and sick. Twice he had seen her crying, although he said nothing, knowing that she did not want to be noticed. There had been a few telephone calls from Lycurgus, the last on July fourth or fifth, the day before she left, he was quite sure.

"And what did she have with her when she left?"

"Her bag and her little trunk."

"And would you recognize the bag that she carried, if you saw it?"

"Yes, sir."

"Is this the bag?" (A deputy assistant district attorney carrying forward a bag and placing it on a small stand.)

And Alden, after looking at it and wiping his eyes with the back of his hand, announcing: "Yes, sir."

And then most dramatically, as Mason intended in connection with every point in this trial, a deputy assistant carrying in a small trunk, and Titus Alden and his wife and daughters and sons all crying at the sight of it. And after being identified by him as Roberta's, the bag and then the trunk were opened in turn. And the dresses made by Roberta, some underclothing, shoes, hats, the toilet set given her by Clyde, pictures of her mother and father and sister and brothers, an old family cook-book, some spoons and forks and knives and salt and pepper sets—all given her by her grandmother and treasured by her for her married life—held up and identified in turn.

All this over Belknap's objection, and on Mason's promise

to "connect it up," which, however, he was unable to do, and the evidence was accordingly ordered "struck out." But its pathetic significance by that time deeply impressed on the minds and hearts of the jurymen. And Belknap's criticism of Mason's tactics merely resulting in that gentleman bellowing, in an infuriated manner: "Who's conducting this prosecution, anyhow?" To which Belknap replied: "The Republican candidate for county judge in this county, I believe!"—thus evoking a wave of laughter which caused Mason to fairly shout: "Your Honor, I protest! This is an unethical and illegal attempt to inject into this case a political issue which has nothing to do with it. It is slyly and maliciously intended to convey to this jury that because I am the Republican nominee for judge of the county, it is impossible for me to properly and fairly conduct the prosecution of this case. And I now demand an apology, and will have it before I proceed one step further in this case."

Whereupon Justice Oberwaltzer, feeling that a very serious breach of court etiquette had occurred, proceeded to summon Belknap and Mason before him, and after listening to placid and polite interpretations of what was meant, and what was not meant, finally ordered, on pain of contempt, that neither of them again refer to the political situation in any way.

Nevertheless, Belknap and Jephson congratulating themselves that in this fashion their mood in regard to Mason's candidacy and his use of this case to further it had effectively gotten before the jury and the court.

But more and more witnesses!

Grace Marr now taking the stand, and in a glib and voluble outpouring describing how and where she had first met Roberta —how pure and clean and religious a girl she was, but, how after meeting Clyde on Crum Lake a great change had come over her. She was more secretive and evasive and given to furnishing all sorts of false excuses for new and strange adventures —as, for instance, going out nights and staying late, and claiming to be places over Saturday and Sunday where she wasn't— until finally, because of criticism which she, Grace Marr, had ventured to make, she had suddenly left, without giving any address. But there was a man, and that man was Clyde Griffiths. For having followed Roberta to her room one evening in September or October of the year before, she had observed her and Clyde in the distance, near the Gilpin home. They were standing under some trees and he had his arm around her.

And thereafter Belknap, at Jephson's suggestion, taking her and by the slyest type of questioning, trying to discover whether,

before coming to Lycurgus, Roberta was as religious and conventional as Miss Marr would have it. But Miss Marr, faded and irritable, insisting that up to the day of her meeting with Clyde on Crum Lake, Roberta had been the soul of truth and purity, in so far as she knew.

And next the Newtons swearing to much the same thing.

And then the Gilpins, wife and husband and daughters, each swearing to what she or he alone saw or heard. Mrs. Gilpin as to the approximate day of Roberta's moving into her home with one small trunk and bag—the identical trunk and bag identified by Titus. And thereafter seeming to live very much alone until finally she, feeling sorry for her, had suggested one type of contact and another, but Roberta invariably refusing. But later, along in late November, although she had never had the heart to say anything about it to her because of her sweetness and general sobriety, she and her two daughters had become aware of the fact that occasionally, after eleven o'clock, it had seemed as though Roberta must be entertaining some one in her room, but just whom she could not say. And again at this point, on cross-examination, Belknap trying to extract any admissions or impressions which would tend to make it look as though Roberta was a little less reserved and puritanical than all the witnesses had thus far painted her, but failing. Mrs. Gilpin, as well as her husband, was plainly fond of her and only under pressure from Mason and later Belknap testified to Clyde's late visits.

And then the elder daughter, Stella, testifying that during the latter part of October or the first of November, shortly after Roberta had taken the room, she had passed her and a man, whom she was now able to identify as Clyde, standing less than a hundred feet from the house, and noticing that they were evidently quarreling she had paused to listen. She was not able to distinguish every word of the conversation, but upon leading questions from Mason was able to recall that Roberta had protested that she could not let him come into her room—"it would not look right." And he had finally turned upon his heel, leaving Roberta standing with outstretched arms as if imploring him to return.

And throughout all this Clyde staring in amazement, for he had in those days—in fact throughout his entire contact with Roberta—imagined himself unobserved. And decidedly this confirmed much of what Mason had charged in his opening address—that he had willfully and with full knowledge of the nature of the offense, persuaded Roberta to do what plainly she

had not wanted to do—a form of testimony that was likely to prejudice the judge as well as the jury and all these conventional people of this rural county. And Belknap, realizing this, trying to confuse this Stella in her identification of Clyde. But only succeeding in eliciting information that some time in November or the early part of December, shortly after the above incident, she had seen Clyde arrive, a box of some kind under his arm, and knock at Roberta's door and enter, and was then positive that he was the same young man she had seen that moonlight night quarreling with Roberta.

And next, Whiggam, and after him Liggett, testifying as to the dates of arrival of Clyde at the factory, as well as Roberta, and as to the rule regarding department heads and female help, and, in so far as they could see, the impeccable surface conduct of both Clyde and Roberta, neither seeming to look at the other or at any one else for that matter. (That was Liggett testifying.)

And after them again, others. Mrs. Peyton to testify as to the character of his room and his social activities in so far as she was able to observe them. Mrs. Alden to testify that at Christmas the year before Roberta had confessed to her that her superior at the factory—Clyde Griffiths, the nephew of the owner—was paying attention to her, but that it had to be kept secret for the time being. Frank Harriet, Harley Baggott, Tracy Trumbull and Eddie Sells to testify that during December last Clyde had been invited here and there and had attended various social gatherings in Lycurgus. John Lambert, a druggist of Schenectady, testifying that some time in January he had been applied to by a youth, whom he now identified as the defendant, for some medicine which would bring about a miscarriage. Orrin Short to testify that in late January Clyde had asked him if he knew of a doctor who could aid a young married woman—according to Clyde's story, the wife of an employe of Griffiths & Company—who was too poor to afford a child, and whose husband, according to Clyde, had asked him for this information. And next Dr. Glenn, testifying to Roberta's visit, having previously recalled her from pictures published in the papers, but adding that professionally he had been unwilling to do anything for her.

And then C. B. Wilcox, a farmer neighbor of the Aldens, testifying to having been in the washroom back of the kitchen on or about June twenty-ninth or thirtieth, on which occasion Roberta having been called over the long distance telephone from Lycurgus by a man who gave his name as Baker, he had heard

her say to him: "But, Clyde, I can't wait that long. You know I can't. And I won't." And her voice had sounded excited and distressed. Mr. Wilcox was positive as to the name Clyde.

And Ethel Wilcox, a daughter of this same C. B.—short and fat and with a lisp—who swore that on three preceding occasions, having received long distance requests for Roberta, she had proceeded to get her. And each time the call was from Lycurgus from a man named Baker. Also, on one occasion, she had heard her refer to the caller as Clyde. And once she had heard her say that "under no circumstances would she wait that long," although what she meant by that she did not know.

And next Roger Beane, a rural free delivery letter-carrier, who testified that between June seventh or eighth to July fourth or fifth, he had received no less than fifteen letters from Roberta herself or the mail box at the crossroads of the Alden farm, and that he was positive that most of the letters were addressed to Clyde Griffiths, care of General Delivery, Lycurgus.

And next Amos Showalter, general delivery clerk at Lycurgus, who swore that to the best of his recollection, from or between June seventh or eighth and July fourth or fifth, Clyde, whom he knew by name, had inquired for and received not less than fifteen or sixteen letters.

And after him, R. T. Biggen, an oil station manager of Lycurgus, who swore that on the morning of July sixth, at about eight o'clock, having gone to Fielding Avenue, which was on the extreme west of the city, leading on the northern end to a "stop" on the Lycurgus and Fonda electric line, he had seen Clyde, dressed in a gray suit and wearing a straw hat and carrying a brown suit-case, to one side of which was strapped a yellow camera tripod and something else—an umbrella it might have been. And knowing in which direction Clyde lived, he had wondered at his walking, when at Central Avenue, not so far from his home, he could have boarded the Fonda-Lycurgus car. And Belknap in his cross-examination inquiring of this witness how, being one hundred and seventy-five feet distant, he could swear that it was a tripod that he saw, and Biggens insisting that it was—it was bright yellow wood and had brass clops and three legs.

And then after him, John W. Troescher, station master at Fonda, who testified that on the morning of July sixth last (he recalled it clearly because of certain other things which he listed), he had sold Roberta Alden a ticket to Utica. He recalled Miss Alden because of having noted her several times during the preceding winter. She looked quite tired, almost sick, and carried

a brown bag, something like the brown bag there and then exhibited to him. Also he recalled the defendant, who also carried a bag. He did not see him notice or talk to the girl.

And next Quincy B. Dale, conductor of the particular train that ran from Fonda to Utica. He had noticed, and now recalled, Clyde in one car toward the rear. He also noticed, and from photographs later published, had recalled Roberta. She gave him a friendly smile and he had said that such a bag as she was carrying seemed rather heavy for her and that he would have one of the brakemen carry it out for her at Utica, for which she thanked him. He had seen her descend at Utica and disappear into the depot. He had not noticed Clyde there.

And then the identification of Roberta's trunk as having been left in the baggage room at the station at Utica for a number of days. And after that the guest page of the Renfrew House, of Utica, for July sixth last, identified by Jerry K. Kernocian, general manager of said hotel, which showed an entry—"Clifford Golden and wife." And the same then and there compared by handwriting experts with two other registration pages from the Grass Lake and Big Bittern Inns and sworn to as being identically the same handwriting. And these compared with the card in Roberta's suit-case, and all received in evidence and carefully examined by each juror in turn and by Belknap and Jephson, who, however, had seen all but the card before. And once more a protest on the part of Belknap as to the unwarranted and illegal and shameful withholding of evidence on the part of the district attorney. And a long and bitter wrangle as to that, serving, in fact, to bring to a close the tenth day of the trial.

CHAPTER XXII

AND then, on the eleventh day, Frank W. Schaefer, clerk of the Renfrew House in Utica, recalling the actual arrival of Clyde and Roberta and their actions; also Clyde's registering for both as Mr. and Mrs. Clifford Golden, of Syracuse. And then Wallace Vanderhoff, one of the clerks of the Star Haberdashery in Utica, with a story of Clyde's actions and general appearance at the time of his buying a straw hat. And then the conductor of the train running between Utica and Grass Lake. And the proprietor of the Grass Lake House. And Blanche Pettingill, a waitress, who swore that at dinner she had overheard Clyde arguing with Roberta as to the impossibility of getting a marriage license there—that it would be better to wait until they reached some other place the next day—a bit of particularly damaging testimony, since it pre-dated by a day the proposed confession which Clyde was supposed to have made to Roberta, but which Jephson and Belknap afterward agreed between themselves might easily have had some preliminary phases. And after her the conductor of the train that carried them to Gun Lodge. And after him the guide and the driver of the bus, with his story of Clyde's queer talk about many people being over there and leaving Roberta's bag while he took his own, and saying they would be back.

And then, the proprietor of the Inn at Big Bittern; the boatkeeper; the three men in the woods—their testimony very damaging to Clyde's case, since they pictured his terror on encountering them. And then the story of the finding of the boat and Roberta's body, and the eventual arrival of Heit and his finding of the letter in Roberta's coat. A score of witnesses testifying as to all this. And next the boat captain, the farm girl, the Cranston chauffeur, the arrival of Clyde at the Cranstons', and at last (every step accounted for and sworn to) his arrival at Bear Lake, the pursuit and his capture—to say nothing of the various phases of his arrest—what he said—this being most damaging indeed, since it painted Clyde as false, evasive, and terrified.

But unquestionably, the severest and most damaging testimony

related to the camera and the tripod—the circumstances surrounding the finding of them—and on the weight of this Mason was counting for a conviction. His one aim first was to convict Clyde of lying as to his possession of either a tripod or a camera. And in order to do that he first introduced Earl Newcomb, who swore that on a certain day, when he, Mason and Heit and all the others connected with the case were taking Clyde over the area in which the crime had been committed, he and a certain native, one Bill Swarts, who was afterwards put on the stand, while poking about under some fallen logs and bushes, had come across the tripod, hidden under a log. Also (under the leadership of Mason, although over the objections of both Belknap and Jephson, which were invariably overruled), he proceeded to add that Clyde, on being asked whether he had a camera or this tripod, had denied any knowledge of it, on hearing which Belknap and Jephson actually shouted their disapproval.

Immediately following, though eventually ordered stricken from the records by Justice Oberwaltzer, there was introduced a paper signed by Heit, Burleigh, Slack, Kraut, Swenk, Sissell, Bill Swartz, Rufus Forster, county surveyor, and Newcomb, which set forth that Clyde, on being shown the tripod and asked whether he had one, "vehemently and repeatedly denied that he had." But in order to drive the import of this home, Mason immediately adding: "Very well, Your Honor, but I have other witnesses who will swear to everything that is in that paper and more," and at once calling "Joseph Frazer! Joseph Frazer!" and then placing on the stand a dealer in sporting goods, cameras, etc., who proceeded to swear that some time between May fifteenth and June first, the defendant, Clyde Griffiths, whom he knew by sight and name, had applied to him for a camera of a certain size, with tripod attached, and that the defendant had finally selected a Sank, 3½ by 5½, for which he had made arrangements to pay in installments. And after due examination and consulting certain stock numbers with which the camera and the tripod and his own book were marked, Mr. Frazer identifying first the camera now shown him, and immediately after that the yellow tripod as the one he had sold Clyde.

And Clyde sitting up aghast. Then they had found the camera, as well as the tripod, after all. And after he had protested so that he had had no camera with him. What would that jury and the judge and this audience think of his lying about that? Would they be likely to believe his story of a change of heart

after this proof that he had lied about a meaningless camera? Better to have confessed in the first place.

But even as he was so thinking Mason calling Simeon Dodge, a young woodsman and driver, who testified that on Saturday, the sixteenth of July, accompanied by John Pole, who had lifted Roberta's body out of the water, he had at the request of the district attorney, repeatedly dived into the exact spot where her body was found, and finally succeeded in bringing up a camera. And then the camera itself identified by Dodge.

Immediately after this all the testimony in regard to the hitherto as yet unmentioned films found in the camera at the time of its recovery, since developed, and now received in evidence, four views which showed a person looking more like Roberta than any one else, together with two, which clearly enough represented Clyde. Belknap was not able to refute or exclude them.

Then Floyd Thurston, one of the guests at the Cranston lodge at Sharon on June eighteenth—the occasion of Clyde's first visit there—placed on the stand to testify that on that occasion Clyde had made a number of pictures with a camera about the size and description of the one shown him, but failing to identify it as the particular one, his testimony being stricken out.

After him again, Edna Patterson, a chambermaid in the Grass Lake Inn, who, as she swore, on entering the room which Clyde and Roberta occupied on the night of July seventh, had seen Clyde with a camera in his hand, which was of the size and color, as far as she could recall, of the one then and there before her. She had also at the same time seen a tripod. And Clyde, in his curious and meditative and half-hypnotized state, recalling well enough the entrance of this girl into that room and marveling and suffering because of the unbreakable chain of facts that could thus be built up by witnesses from such varying and unconnected and unexpected places, and so long after, too.

After her, but on different days, and with Belknap and Jephson contending every inch of the way as to the admissibility of all this, the testimony of the five doctors whom Mason had called in at the time Roberta's body was first brought to Bridgeburg, and who in turn swore that the wounds, both on the face and head, were sufficient, considering Roberta's physical condition, to stun her. And because of the condition of the dead girl's lungs, which had been tested by attempting to float them in water, averring that at the time her body had first entered the water, she must have been still alive, although not necessarily conscious. But as to the nature of the instrument used to make these wounds, they would not venture to guess, other than to

say it must have been blunt. And no grilling on the part of either Belknap or Jephson could bring them to admit that the blows could have been of such a light character as not to stun or render unconscious. The chief injury appeared to be on the top of the skull, deep enough to have caused a blood clot, photographs of all of which were put in evidence.

At this psychological point, when both audience and jury were most painfully and effectively stirred, a number of photographs of Roberta's face, made at the time that Heit, the doctors and the Lutz Brothers had her in charge, were introduced. Then the dimensions of the bruises on the right side of her face were shown to correspond exactly in size with two sides of the camera. Immediately after that, Burton Burleigh placed on the stand to swear how he had discovered the two strands of hair which corresponded with the hair on Roberta's head—or so Mason tried to show—caught between the lens and the lid. And then, after hours and hours, Belknap, infuriated and yet made nervous by this type of evidence and seeking to riddle it with sarcasm, finally pulling a light hair out of his head and then asking the jurors and Burleigh if they could venture to tell whether one single hair from any one's head could be an indication of the general color of a person's hair, and if not, whether they were ready to believe that this particular hair was from Roberta's head or not.

Mason then calling a Mrs. Rutger Donahue, who proceeded, in the calmest and most placid fashion, to tell how on the evening of July eighth last, between five-thirty and six, she and her husband immediately after setting up a tent above Moon Cove, had started out to row and fish, when being about a half-mile off shore and perhaps a quarter of a mile above the woods or northern fringe of land which enclosed Moon Cove, she had heard a cry.

"Between half past five and six in the afternoon, you say?"

"Yes, sir."

"And on what date again?"

"July eighth."

"And where were you exactly at that time?"

"We were——"

"Not 'we.' Where were you personally?"

"I was crossing what I have since learned was South Bay in a row boat with my husband."

"Yes. Now tell what happened next."

"When we reached the middle of the bay I heard a cry."

"What was it like?"

"It was penetrating—like the cry of some one in pain—or in danger. It was sharp—a haunting cry."

Here a motion to "strike out," with the result that the last phrase was so ordered stricken out.

"Where did it come from?"

"From a distance. From within or beyond the woods."

"Did you know at the time that there was another bay or cove there—below that strip of woods?"

"No, sir."

"Well, what did you think then—that it might have come from within the woods below where you were?"

(Objected to—and objection sustained.)

"And now tell us, was it a man's or a woman's cry? What kind of a cry was it?"

"It was a woman's cry, and something like 'Oh, oh!' or 'Oh, my!'—very piercing and clear, but distant, of course. A double scream such as one might make when in pain."

"You are sure you could not be mistaken as to the kind of a cry it was—male or female."

"No, sir. I am positive. It was a woman's. It was pitched too high for a man's voice or a boy's. It could not have been anything but a woman's."

"I see. And now tell us, Mrs. Donahue—you see this dot on the map showing where the body of Roberta Alden was found?"

"Yes, sir."

"And you see this other dot, over those trees, showing approximately where your boat was?"

"Yes, sir."

"Do you think that voice came from where this dot in Moon Cove is?"

(Objected to. Sustained.)

"And was that cry repeated?"

"No, sir. I waited, and I called my husband's attention to it, too, and we waited, but didn't hear it again."

Then Belknap, eager to prove that it might have been a terrified and yet not a pained or injured cry, taking her and going all over the ground again, and finding that neither she nor her husband, who was also put on the stand, could be shaken in any way. Neither, they insisted, could the deep and sad effect of this woman's voice be eradicated from their minds. It had haunted both, and once in their camp again they had talked about it. Because it was dusk he did not wish to go seeking after the spot from which it came; because she felt that some woman or girl might have been slain in those woods, she did not want to stay

any longer, and the next morning early they had moved on to another lake.

Thomas Barrett, another Adirondack guide, connected with a camp at Dam's Lake, swore that at the time referred to by Mrs. Donahue, he was walking along the shore toward Big Bittern Inn and had seen not only a man and woman off shore in about the position described, but farther back, toward the south shore of this bay, had noted the tent of these campers. Also that from no point outside Moon Cove, unless near the entrance, could one observe any boat within the cove. The entrance was narrow and any view from the lake proper completely blocked. And there were other witnesses to prove this.

At this psychological moment, as the afternoon sun was already beginning to wane in the tall, narrow court room, and as carefully planned by him beforehand, Mason's reading all of Roberta's letters, one by one, in a most simple and nondeclamatory fashion, yet with all the sympathy and emotion which their first perusal had stirred in him. They had made him cry.

He began with letter number one, dated June eighth, only three days after her departure from Lycurgus, and on through them all down to letters fourteen, fifteen, sixteen and seventeen, in which, in piecemeal or by important references here and there, she related her whole contact with Clyde down to his plan to come for her in three weeks, then in a month, then on July eighth or ninth, and then the sudden threat from her which precipitated his sudden decision to meet her at Fonda. And as Mason read them, all most movingly, the moist eyes and the handkerchiefs and the coughs in the audience and among the jurors attested their import:

"You said I was not to worry or think so much about how I feel, and have a good time. That's all right for you to say, when you're in Lycurgus and surrounded by your friends and invited everywhere. It's hard for me to talk over there at Wilcox's with somebody always in earshot and with you constantly reminding me that I mustn't say this or that. But I had so much to ask and no chance there. And all that you would say was that everything was all right. But you didn't say positively that you were coming on the 27th, that because of something I couldn't quite make out—there was so much buzzing on the wire—you might not be able to start until later. But that can't be, Clyde. My parents are leaving for Hamilton where my uncle lives on the third. And Tom and Emily are going to my sister's on the same day. But I can't and won't go there again. I can't stay here all alone. So you must, you really must come, as you agreed. I can't wait any longer than that, Clyde, in the condition that I'm in, and so you just must come and take me away. Oh, please, please, I beg of you, not to torture me with any more delays now."

And again:

"Clyde, I came home because I thought I could trust you. You told me so solemnly before I left that if I would, you would come and get me in three weeks at the most—that it would not take you longer than that to get ready, have enough money for the time we would be together, or until you could get something to do somewhere else. But yesterday, although the third of July will be nearly a month since I left, you were not at all sure at first that you could come by then, and when as I told you my parents are surely leaving for Hamilton to be gone for ten days. Of course, afterwards, you said you would come, but you said it as though you were just trying to quiet me. It has been troubling me awfully ever since.

"For I tell you, Clyde, I am sick, very. I feel faint nearly all the time. And besides, I am so worried as to what I shall do if you don't come that I am nearly out of my mind."

"Clyde, I know that you don't care for me any more like you did and that you are wishing things could be different. And yet, what am I to do? I know you'll say that it has all been as much my fault as yours. And the world, if it knew, might think so, too. But how often did I beg you not to make me do what I did not want to do, and which I was afraid even then I would regret, although I loved you too much to let you go, if you still insisted on having your way."

"Clyde, if I could only die. That would solve all this. And I have prayed and prayed that I would lately, yes I have. For life does not mean as much to me now as when I first met you and you loved me. Oh, those happy days! If only things were different. If only I were out of your way. It would all be so much better for me and for all of us. But I can't now, Clyde, without a penny and no way to save the name of our child, except this. Yet if it weren't for the terrible pain and disgrace it would bring to my mother and father and all my family, I would be willing to end it all in another way. I truly would."

And again:

"Oh, Clyde, Clyde, life is so different to-day to what it was last year. Think—then we were going to Crum and those other lakes over near Fonda and Gloversville and Little Falls, but now—now. Only just now some boy and girl friends of Tom's and Emily's came by to get them to go after strawberries, and when I saw them go and knew I couldn't, and that I couldn't be like that any more ever, I cried and cried, ever so long."

And finally:

"I have been bidding good-by to some places to-day. There are so many nooks, dear, and all of them so dear to me. I have lived here all my life, you know. First, there was the springhouse with its great masses of green moss, and in passing it I said good-by to it, for I

won't be coming to it soon again—maybe never. And then the old apple tree where we had our playhouse years ago—Emily and Tom and Gifford and I. Then the 'Believe,' a cute little house in the orchard where we sometimes played.

"Oh, Clyde, you can't realize what all this means to me, I feel as though I shall never see my home again after I leave here this time. And mamma, poor dear mamma, how I do love her and how sorry I am to have deceived her so. She is never cross and she always helps me so much. Sometimes I think if I could tell her, but I can't. She has had trouble enough, and I couldn't break her heart like that. No, if I go away and come back some time, either married or dead—it doesn't make so much difference now—she will never know, and I will not have caused her any pain, and that means so much more than life itself to me. So good-by, Clyde, until I do meet you, as you telephoned. And forgive me all the trouble that I have caused you.

Your sorrowful,

ROBERTA."

And at points in the reading, Mason himself crying, and at their conclusion turning, weary and yet triumphant, a most complete and indestructible case, as he saw it, having been presented, and exclaiming: "The People rest." And at that moment, Mrs. Alden, in court with her husband and Emily, and overwrought, not only by the long strain of the trial but this particular evidence, uttering a whimpering yet clear cry and then falling forward in a faint. And Clyde, in his own overwrought condition, hearing her cry and seeing her fall, jumping up—the restraining hand of Jephson instantly upon him, while bailiffs and others assisted her and Titus who was beside her from the court room. And the audience almost, if not quite, as moved and incensed against Clyde by that development as though, then and there, he had committed some additional crime.

But then, that excitement having passed and it being quite dark, and the hands of the court clock pointing to five, and all the court weary, Justice Oberwaltzer signifying his intention of adjourning for the night.

And at once all the newspaper men and feature writers and artists rising and whispering to each other that on the morrow the defense would start, and wondering as to who and where the witnesses were, also whether Clyde would be permitted to go on the stand in his own defense in the face of this amazing mass of evidence against him, or whether his lawyers would content themselves with some specious argument as to mental and moral weakness which might end in prison for life—not less.

And Clyde, hissed and cursed as he left the court, wondering if on the morrow, and as they had planned this long time since, he would have the courage to rise and go on the stand—

wondering if there was not some way, in case no one was looking (he was not handcuffed as he went to and from the jail) maybe to-morrow night when all were rising, the crowds moving and these deputies coming toward him—if—well, if he could only run, or walk easily and quietly and yet quickly and seemingly unintentionally, to that stair and then down and out—to—well —to wherever it went—that small side door to the main stairs which before this he had seen from the jail! If he could only get to some woods somewhere, and then walk and walk, or run and run, maybe, without stopping, and without eating, for days maybe, until, well, until he had gotten away—anywhere. It was a chance, of course. He might be shot, or tracked with dogs and men, but still it was a chance, wasn't it?

For this way he had no chance at all. No one anywhere, after all this, was going to believe him not guilty. And he did not want to die that way. No, no, not that way!

And so another miserable, black and weary night. And then another miserable gray and wintry morning.

CHAPTER XXIII

BY eight o'clock the next morning the great city papers were on the stands with the sprawling headlines, which informed every one in no uncertain terms:

"PROSECUTION IN GRIFFITHS' CASE CLOSES WITH IMPRESSIVE DELUGE OF TESTIMONY."

"MOTIVE AS WELL AS METHOD HAMMERED HOME."

"DESTRUCTIVE MARKS ON FACE AND HEAD SHOWN TO CORRESPOND WITH ONE SIDE OF CAMERA."

"MOTHER OF DEAD GIRL FAINTS AT CLOSE OF DRAMATIC READING OF HER LETTERS."

And the architectonic way in which Mason had built his case, together with his striking and dramatic presentation of it, was sufficient to stir in Belknap and Jephson, as well as Clyde, the momentary conviction that they had been completely routed—that by no conceivable device could they possibly convince this jury now that Clyde was not a quadruple-dyed villain.

And all congratulating Mason on the masterly way he had presented his case. And Clyde, greatly reduced and saddened by the realization that his mother would be reading all that had transpired the day before. He must ask Jephson to please wire her so that she would not believe it. And Frank and Julia and Esta. And no doubt Sondra reading all this, too, to-day, yet through all these days, all these black nights, not one word! A reference now and then in the papers to a Miss X but at no time a single correct picture of her. That was what a family with money could do for you. And on this very day his defense would begin and he would have to go forward as the only witness of any import. Yet asking himself, *how could he?* The crowd. Its temper. The nervous strain of its unbelief and hatred by now. And after Belknap was through with him, then Mason. It was all right for Belknap and Jephson. They were in no danger of being tortured, as he was certain of being tortured.

Yet in the face of all this, and after an hour spent with Jephson and Belknap in his cell, finding himself back in the courtroom, under the persistent gaze of this nondescript jury and the tensely interested audience. And now Belknap rising before the jury and after solemnly contemplating each one of them, beginning:

"Gentlemen—somewhat over three weeks ago you were told by the district attorney that because of the evidence he was about to present he would insist that you jurors must find the prisoner at the bar guilty of the crime of which he stands indicted. It has been a long and tedious procedure since then. The foolish and inexperienced, yet in every case innocent and unintentional, acts of a boy of fifteen or sixteen have been gone into before you gentlemen as though they were the deeds of a hardened criminal, and plainly with the intention of prejudicing you against this defendant, who, with the exception of one misinterpreted accident in Kansas City—the most brutally and savagely misinterpreted accident it has ever been my professional misfortune to encounter—can be said to have lived as clean and energetic and blameless and innocent a life as any boy of his years anywhere. You have heard him called a man—a bearded man—a criminal and a crime-soaked product of the darkest vomiting of Hell. And yet he is but twenty-one. And there he sits. And I venture to say that if by some magic of the spoken word I could at this moment strip from your eye the substance of all the cruel thoughts and emotions which have been attributed to him by a clamorous and mistaken and I might say (if I had not been warned not to do so), politically biased prosecution, you could no more see him in the light that you do than you could rise out of that box and fly through those windows.

"Gentlemen of the jury, I have no doubt that you, as well as the district attorney and even the audience, have wondered how under the downpour of such linked and at times almost venomous testimony, I or my colleague or this defendant could have remained as calm and collected as we have." (And here he waved with grave ceremoniousness in the direction of his partner, who was still awaiting his own hour.) "Yet, as you have seen, we have not only maintained but enjoyed the serenity of those who not only feel but *know* that they have the right and just end of any legal contest. You recall, of course, the words of the Avon bard—'Thrice armed is he who hath his quarrel just.'

"In fact, we know, as the prosecution in this case unfortunately does not, the peculiarly strange and unexpected circumstances by which this dramatic and most unfortunate death came

about. And before we are through you shall see for yourselves. In the meantime, let me tell you, gentlemen, that since this case opened I have believed that even apart from the light we propose to throw on this disheartening tragedy, you gentlemen are not at all sure that a brutal or bestial crime can be laid upon the shoulders of this defendant. You cannot be! For after all, love is love, and the ways of passion and the destroying emotion of love in either sex are not those of the ordinary criminal. Only remember, we were once all boys. And those of you who are grown women were girls, and know well—oh, how very well—the fevers and aches of youth that have nothing to do with a later practical life. 'Judge not, lest ye be judged and with whatsoever measure ye mete, it will be measured unto ye again.'

"We admit the existence and charm and potent love spell of the mysterious Miss X and her letters, which we have not been able to introduce here, and their effect on this defendant. We admit his love for this Miss X, and we propose to show by witnesses of our own, as well as by analyzing some of the testimony that has been offered here, that perhaps the sly and lecherous overtures with which this defendant is supposed to have lured the lovely soul now so sadly and yet so purely accidentally blotted out, as we shall show, from the straight and narrow path of morality, were perhaps no more sly nor lecherous than the proceedings of any youth who finds the girl of his choice surrounded by those who see life only in the terms of the strictest and narrowest moral régime. And, gentlemen, as your own county district attorney has told you, Roberta Alden loved Clyde Griffiths. At the very opening of this relationship which has since proved to be a tragedy, this dead girl was deeply and irrevocably in love with him, just as at the time he imagined that he was in love with her. And people who are deeply and earnestly in love with each other are not much concerned with the opinions of others in regard to themselves. They are in love —and that is sufficient!

"But, gentlemen, I am not going to dwell on that phase of the question so much as on this explanation which we are about to offer. Why did Clyde Griffiths go to Fonda, or to Utica, or to Grass Lake, or to Big Bittern, at all? Do you think we have any reason for or any desire to deny or discolor in any way the fact of his having done so, or with Roberta Alden either? Or why, after the suddenness and seeming strangeness and mystery of her death, he should have chosen to walk away as he did? If you seriously think so for one fraction of a moment, you are

the most hopelessly deluded and mistaken dozen jurymen it has been our privilege to argue before in all our twenty-seven years' contact with juries.

"Gentlemen, I have said to you that Clyde Griffiths is not guilty, and he is not. You may think, perhaps, that we ourselves must be believing in his guilt. But you are wrong. The peculiarity, the strangeness of life, is such that oftentimes a man may be accused of something that he did not do and yet every circumstance surrounding him at the time seem to indicate that he did do it. There have been many very pathetic and very terrible instances of miscarriages of justice through circumstantial evidence alone. Be sure! Oh, be very sure that no such mistaken judgment based on any local or religious or moral theory of conduct or bias, because of presumed irrefutable evidence, is permitted to prejudice you, so that without meaning to, and with the best and highest-minded intentions, you yourselves see a crime, or the intention to commit a crime, when no such crime or any such intention ever truly or legally existed or lodged in the mind or acts of this defendant. Oh, be sure! Be very, very sure!"

And here he paused to rest and seemed to give himself over to deep and even melancholy thought, while Clyde, heartened by this shrewd and defiant beginning was inclined to take more courage. But now Belknap was talking again, and he must listen —not lose a word of all this that was so heartening.

"When Roberta Alden's body was taken out of the water at Big Bittern, gentlemen, it was examined by a physician. He declared at the time that the girl had been drowned. He will be here and testify and the defendant shall have the benefit of that testimony, and you must render it to him.

"You were told by the district attorney that Roberta Alden and Clyde Griffiths were engaged to be married and that she left her home at Biltz and went forth with him on July sixth last on her wedding journey. Now, gentlemen, it is so easy to slightly distort a certain set of circumstances. 'Were engaged to be married' was how the district attorney emphasized the incidents leading up to the departure on July sixth. As a matter of fact, not one iota of any direct evidence exists which shows that Clyde Griffiths was ever formally engaged to Roberta Alden, or that, except for some passages in her letters, he agreed to marry her. And those passages, gentlemen, plainly indicate that it was only under the stress of moral and material worry, due to her condition—for which he was responsible, of course, but which, nevertheless, was with the consent of both—a boy of

twenty-one and a girl of twenty-three—that he agreed to marry her. Is that, I ask you, an open and proper engagement—the kind of an engagement you think of when you think of one at all? Mind you, I am not seeking to flout or belittle or reflect in any way on this poor, dead girl. I am simply stating, as a matter of fact and of law, that this boy was not formally engaged to this dead girl. He had not given her his word beforehand that he would marry her . . . Never! There is no proof. You must give him the benefit of that. And only because of her condition, for which we admit he was responsible, he came forward with an agreement to marry her, in case . . . in case" (and here he paused and rested on the phrase), "she was not willing to release him. And since she was not willing to release him, as her various letters read here show, that agreement, on pain of a public exposure in Lycurgus, becomes, in the eyes and words of the district attorney, an engagement, and not only that but a sacred engagement which no one but a scoundrel and a thief and a murderer would attempt to sever! But, gentlemen, many engagements, more open and sacred in the eyes of the law and of religion, have been broken. Thousands of men and thousands of women have seen their hearts change, their vows and faith and trust flouted, and have even carried their wounds into the secret places of their souls, or gone forth, and gladly, to death at their own hands because of them. As the district attorney said in his address, it is not new and it will never be old. Never!

"But it is such a case as this last, I warn you, that you are now contemplating and are about to pass upon—a girl who is the victim of such a change of mood. But that is not a legal, however great a moral or social crime it may be. And it is only a curious and almost unbelievably tight and yet utterly misleading set of circumstances in connection with the death of this girl that chances to bring this defendant before you at this time. I swear it. I truly know it to be so. And it can and will be fully explained to your entire satisfaction before this case is closed.

"However, in connection with this last statement, there is another which must be made as a preface to all that is to follow.

"Gentlemen of the jury, the individual who is on trial here for his life is a mental as well as a moral coward—no more and no less—not a downright, hardhearted criminal by any means. Not unlike many men in critical situations, he is a victim of a mental and moral fear complex. Why, no one as yet has been quite able to explain. We all have one secret bugbear or fear. And it is these two qualities, and no others, that have placed him in the dangerous position in which he now finds himself. It was

cowardice, gentlemen—fear of a rule of the factory of which his uncle is the owner, as well as fear of his own word given to the officials above him, that caused him first to conceal the fact that he was interested in the pretty country girl who had come to work for him. And later, to conceal the fact that he was going with her.

"Yet no statutory crime of any kind there. You could not possibly try a man for that, whatever privately you might think. And it was cowardice, mental and moral, gentlemen, which prevented him, after he became convinced that he could no longer endure a relationship which had once seemed so beautiful, from saying outright that he could not and would not continue with her, let alone marry her. Yet, will you slay a man because he is the victim of fear? And again, after all, if a man has once and truly decided that he cannot and will not endure a given woman, or a woman a man—that to live with her could only prove torturesome—what would you have that person do? Marry her? To what end? That they may hate and despise and torture each other forever after? Can you truly say that you agree with that as a rule, or a method, or a law? Yet, as the defense sees it, a truly intelligent and fair enough thing, under the circumstances, was done in this instance. An offer, but without marriage—and alas, without avail—was made. A suggestion for a separate life, with him working to support her while she dwelt elsewhere. Her own letters, read only yesterday in this court, indicate something of the kind. But the oh, so often tragic insistence upon what in so many cases were best left undone! And then that last, long, argumentative trip to Utica, Grass Lake, and Big Bittern. And all to no purpose. Yet with no intention to kill or betray unto death. Not the slightest. And we will show you why.

"Gentlemen, once more I insist that it was cowardice, mental and moral, and not any plot or plan for any crime of any kind, that made Clyde Griffiths travel with Roberta Alden under various aliases to all the places I have just mentioned—that made him write 'Mr. and Mrs. Carl Graham,' 'Mr. and Mrs. Clifford Golden'—mental and moral fear of the great social mistake as well as sin that he had committed in pursuing and eventually allowing himself to fall into this unhallowed relationship with her—mental and moral fear or cowardice of what was to follow.

"And again, it was mental and moral cowardice that prevented him there at Big Bittern, once the waters of the lake had so accidentally closed over her, from returning to Big Bittern

Inn and making public her death. Mental and Moral Cowardice—and nothing more and nothing less. He was thinking of his wealthy relatives in Lycurgus, their rule which his presence here on the lake with this girl would show to have been broken—of the suffering and shame and rage of her parents. And besides, there was Miss X—the brightest star in the brightest constellation of all his dreams.

"We admit all that, and we are completely willing to concede that he was, or must have been, thinking of all these things. The prosecution charges, and we admit that such is the fact, that he had been so completely ensnared by this Miss X, and she by him, that he was willing and eager to forsake this first love who had given herself to him, for one who, because of her beauty and her wealth, seemed so much more desirable—even as to Roberta Alden he seemed more desirable than others. And if she erred as to him—as plainly she did—might not—might not he have erred eventually in his infatuated following of one who in the ultimate—who can say?—might not have cared so much for him. At any rate, one of his strongest fear thoughts at this time, as he himself has confessed to us, his counsel, was that if this Miss X learned that he had been up there with this other girl of whom she had not even so much as heard, well then, it would mean the end of her regard for him.

"I know that as you gentlemen view such things, such conduct has no excuse for being. One may be the victim of an internal conflict between two illicit moods, yet nevertheless, as the law and the church see it, guilty of sin and crime. But the truth, none-the-less, is that they do exist in the human heart, law or no law, religion or no religion, and in scores of cases they motivate the actions of the victims. And we admit that they motivated the actions of Clyde Griffiths.

"But did he kill Roberta Alden?

"No!

"And again, no!

"Or did he plot in any way, half-heartedly or otherwise, to drag her up there under the guise of various aliases and then, because she would not set him free, drown her? Ridiculous! Impossible! Insane! His plan was completely and entirely different.

"But, gentlemen," and here he suddenly paused as though a new or overlooked thought had just come to him, "perhaps you would be better satisfied with my argument and the final judgment you are to render if you were to have the testimony

of one eye-witness at least of Roberta Alden's death—one who, instead of just hearing a voice, was actually present, and who saw and hence knows how she met her death."

He now looked at Jephson as much as to say: Now, Reuben, at last, here we are! And Reuben, turning to Clyde, easily and yet with iron in his every motion, whispered: "Well, here we are, Clyde, it's up to you now. Only I'm going along with you, see? I've decided to examine you myself. I've drilled and drilled you, and I guess you won't have any trouble in telling me, will you?" He beamed on Clyde genially and encouragingly, and Clyde, because of Belknap's strong plea as well as this newest and best development in connection with Jephson, now stood up and with almost a jaunty air, and one out of all proportion to his mood of but four hours before, now whispered: "Gee! I'm glad you're going to do it. I'll be all right now, I think."

But in the meantime the audience, hearing that an actual eye-witness was to be produced, and not by the prosecution but the defense, was at once upon its feet, craning and stirring. And Justice Oberwaltzer, irritated to an exceptional degree by the informality characteristic of this trial, was now rapping with his gavel while his clerk cried loudly: "Order! Order! Unless everybody is seated, all spectators will be dismissed! The deputies will please see that all are seated." And then a hushed and strained silence falling as Belknap called: "Clyde Griffiths, take the witness chair." And the audience—seeing to its astonishment, Clyde, accompanied by Reuben Jephson, making his way forward—straining and whispering in spite of all the gruff commands of the judge and the bailiffs. And even Belknap, as he saw Jephson approaching, being a little astonished, since it was he who according to the original plan was to have led Clyde through his testimony. But now Jephson drawing near to him as Clyde was being seated and sworn, merely whispered: "Leave him to me, Alvin, I think it's best. He looks a little too strained and shaky to suit me, but I feel sure I can pull him through."

And then the audience noting the change and whispering in regard to it. And Clyde, his large nervous eyes turning here and there, thinking: Well, I'm on the witness stand at last. And now everybody's watching me, of course. I must look very calm, like I didn't care so very much, because I didn't really kill her. That's right, I didn't. Yet his skin blue and the lids of his eyes red and puffy and his hands trembling slightly in spite of himself. And Jephson, his long, tensile and dynamic body like that of

a swaying birch, turning toward him and looking fixedly into Clyde's brown eyes with his blue ones, beginning:

"Now, Clyde, the first thing we want to do is make sure that the jury and every one else hears our questions and answers. And next, when you're all set, you're going to begin with your life as you remember it—where you were born, where you came from, what your father did and your mother, too, and finally, what you did and why, from the time you went to work until now. I may interrupt you with a few questions now and then, but in the main I'm going to let you tell it, because I know you can tell it better than any one." Yet in order to reassure Clyde and to make him know each moment that he was there—a wall, a bulwark, between him and the eager, straining, unbelieving and hating crowd—he now drew nearer, at times so close as to put one foot on the witness stand, or if not that to lean forward and lay a hand on the arm of the chair in which Clyde sat. And all the while saying, "Yay-uss—Yay-uss." "And then what?" "And then?" And invariably at the strong and tonic or protective sound of his voice Clyde stirring as with a bolstering force and finding himself able, and without shaking or quavering, to tell the short but straitened story of his youth.

"I was born in Grand Rapids, Michigan. My parents were conducting a mission there at that time and used to hold open air meetings . . ."

CHAPTER XXIV

CLYDE'S testimony proceeded to the point where the family had removed from Quincy, Illinois (a place resorted to on account of some Salvation Army work offered his father and mother), to Kansas City, where from his twelfth to his fifteenth year he had browsed about trying to find something to do while still resenting the combination of school and religious work expected of him.

"Were you up with your classes in the public schools?"

"No, sir. We had moved too much."

"In what grade were you when you were twelve years old?"

"Well, I should have been in the seventh but I was only in the sixth. That's why I didn't like it."

"And how about the religious work of your parents?"

"Well, it was all right—only I never did like going out nights on the street corners."

And so on, through five-and-ten cent store, soda and newspaper carrier jobs, until at last he was a bell-hop at the Green-Davidson, the finest hotel in Kansas City, as he informed them.

"But now, Clyde," proceeded Jephson who, fearful lest Mason on the cross-examination and in connection with Clyde's credibility as a witness should delve into the matter of the wrecked car and the slain child in Kansas City and so mar the effect of the story he was now about to tell, was determined to be beforehand in this. Decidedly, by questioning him properly he could explain and soften all that, whereas if left to Mason it could be tortured into something exceedingly dark indeed. And so now he continued:

"And how long did you work there?"

"A little over a year."

"And why did you leave?"

"Well, it was on account of an accident."

"What kind of an accident?"

And here Clyde, previously prepared and drilled as to all this plunged into the details which led up to and included the death of the little girl and his flight—which Mason, true enough, had

been intending to bring up. But, now, as he listened to all this, he merely shook his head and grunted ironically, "He'd better go into all that," he commented. And Jephson, sensing the import of what he was doing—how most likely he was, as he would have phrased it, "spiking" one of Mr. Mason's best guns, continued with:

"How old were you then, Clyde, did you say?"

"Between seventeen and eighteen."

"And do you mean to tell me," he continued, after he had finished with all of the questions he could think of in connection with all this, "that you didn't know that you might have gone back there, since you were not the one who took the car, and after explaining it all, been paroled in the custody of your parents?"

"Object!" shouted Mason. "There's no evidence here to show that he could have returned to Kansas City and been paroled in the custody of his parents."

"Objection sustained!" boomed the judge from his high throne. "The defense will please confine itself a little more closely to the letter of the testimony."

"Exception," noted Belknap, from his seat.

"No, sir. I didn't know that," replied Clyde, just the same.

"Anyhow was that the reason after you got away that you changed your name to Tenet as you told me?" continued Jephson.

"Yes, sir."

"By the way, just where did you get that name of Tenet, Clyde?"

"It was the name of a boy I used to play with in Quincy."

"Was he a good boy?"

"Object!" called Mason, from his chair. "Incompetent, immaterial, irrelevant."

"Oh, he might have associated with a good boy in spite of what you would like to have the jury believe, and in that sense it is very relevant," sneered Jephson.

"Objection sustained!" boomed Justice Oberwaltzer.

"But didn't it occur to you at the time that he might object or that you might be doing him an injustice in using his name to cover the identity of a fellow who was running away?"

"No, sir—I thought there were lots of Tenets."

An indulgent smile might have been expected at this point, but so antagonistic and bitter was the general public toward Clyde that such levity was out of the question in this courtroom.

"Now listen, Clyde," continued Jephson, having, as he had just seen, failed to soften the mood of the throng, "you cared for your mother, did you?—or didn't you?"

Objection and argument finally ending in the question being allowed.

"Yes, sir, certainly I cared for her," replied Clyde—but after a slight hesitancy which was noticeable—a tightening of the throat and a swelling and sinking of the chest as he exhaled and inhaled.

"Much?"

"Yes, sir—much." He didn't venture to look at any one now.

"Hadn't she always done as much as she could for you, in her way?"

"Yes, sir."

"Well, then, Clyde, how was it, after all that, and even though that dreadful accident had occurred, you could run away and stay away so long without so much as one word to tell her that you were by no means as guilty as you seemed and that she shouldn't worry because you were working and trying to be a good boy again?"

"But I did write her—only I didn't sign my name."

"I see. Anything else?"

"Yes, sir. I sent her a little money. Ten dollars once."

"But you didn't think of going back at all?"

"No, sir. I was afraid that if I went back they might arrest me."

"In other words," and here Jephson emphasized this with great clearness, "you were a moral and mental coward, as Mr. Belknap, my colleague, said."

"I object to this interpretation of this defendant's testimony for the benefit of the jury!" interrupted Mason.

"This defendant's testimony really needs no interpretation. It is very plain and honest, as any one can see," quickly interjected Jephson.

"Objection sustained!" called the judge. "Proceed. Proceed."

"And it was because you were a moral and mental coward as I see it, Clyde—not that I am condemning you for anything that you cannot help. (After all, you didn't make yourself, did you?)"

But this was too much, and the judge here cautioned him to use more discretion in framing his future questions.

"Then you went about in Alton, Peoria, Bloomington, Milwaukee, and Chicago—hiding away in small rooms in back streets

and working as a dishwasher or soda fountain man, or a driver, and changing your name to Tenet when you really might have gone back to Kansas City and resumed your old place?" continued Jephson.

"I object! I object!" yelled Mason. "There is no evidence here to show that he could have gone there and resumed his old place."

"Objection sustained," ruled Oberwaltzer, although at the time in Jephson's pocket was a letter from Francis X. Squires, formerly captain of the bell-boys of the Green-Davidson at the time Clyde was there, in which he explained that apart from the one incident in connection with the purloined automobile, he knew nothing derogatory to Clyde; and that always previously, he had found him prompt, honest, willing, alert and well-mannered. Also that at the time the accident occurred, he himself had been satisfied that Clyde could have been little else than one of those led and that if he had returned and properly explained matters he would have been reinstated. It was irrelevant.

Thereafter followed Clyde's story of how, having fled from the difficulties threatening him in Kansas City and having wandered here and there for two years, he had finally obtained a place in Chicago as a driver and later as a bell-boy at the Union League, and also how while still employed at the first of these places he had written his mother and later at her request was about to write his uncle, when, accidentally meeting him at the Union League, he was invited by him to come to Lycurgus. And thereupon, in their natural order, followed all of the details of how he had gone to work, been promoted and instructed by his cousin and the foreman as to the various rules, and then later how he had met Roberta and still later Miss X. But in between came all the details as to how and why he had courted Roberta Alden, and how and why, having once secured her love he felt and thought himself content—but how the arrival of Miss X, and her overpowering fascination for him, had served completely to change all his notions in regard to Roberta, and although he still admired her, caused him to feel that never again as before could he desire to marry her.

But Jephson, anxious to divert the attention of the jury from the fact that Clyde was so very fickle—a fact too trying to be so speedily introduced into the case—at once interposed with:

"Clyde! You really loved Roberta Alden at first, didn't you?"

"Yes, sir."

"Well, then, you must have known, or at least you gathered from her actions, from the first, didn't you, that she was a perfectly good and innocent and religious girl."

"Yes, sir, that's how I felt about her," replied Clyde, repeating what he had been told to say.

"Well, then, just roughly now, without going into detail, do you suppose you could explain to yourself and this jury how and why and where and when those changes came about which led to that relationship which we all of us" (and here he looked boldly and wisely and coldly out over the audience and then afterwards upon the jurors) "deplore. How was it, if you thought so highly of her at first that you could so soon afterwards descend to this evil relationship? Didn't you know that all men, and all women also, view it as wrong, and outside of marriage unforgivable—a statutory crime?"

The boldness and ironic sting of this was sufficient to cause at first a hush, later a slight nervous tremor on the part of the audience which, Mason as well as Justice Oberwaltzer noting, caused both to frown apprehensively. Why, this brazen young cynic! How dared he, via innuendo and in the guise of serious questioning, intrude such a thought as this, which by implication at least picked at the very foundations of society—religious and moral! At the same time there he was, standing boldly and leoninely, the while Clyde replied:

"Yes, sir, I suppose I did—certainly—but I didn't try to seduce her at first or at any time, really. I was in love with her."

"You were in love with her?"

"Yes, sir."

"Very much?"

"Very much."

"And was she as much in love with you at that time?"

"Yes, sir, she was."

"From the very first?"

"From the very first."

"She told you so?"

"Yes, sir."

"At the time she left the Newtons—you have heard all the testimony here in regard to that—did you induce or seek to induce her in any way, by any trick or agreement, to leave there?"

"No, sir, I didn't. She wanted to leave there of her own accord. She wanted me to help her find a place."

"She wanted you to help her find a place?"

"Yes, sir."

"And just why?"

"Because she didn't know the city very well and she thought maybe I could tell her where there was a nice room she could get—one that she could afford."

"And did you tell her about the room she took at the Gilpins'?"

"No, sir, I didn't. I never told her about any room. She found it herself." (This was the exact answer he had memorized.)

"But why didn't you help her?"

"Because I was busy, days and most evenings. And besides I thought she knew better what she wanted than I did—the kind of people and all."

"Did you personally ever see the Gilpin place before she went there?"

"No, sir."

"Ever have any discussion with her before she moved there as to the kind of a room she was to take—its position as regards to entrance, exit, privacy, or anything of that sort?"

"No, sir, I never did."

"Never insisted, for instance, that she take a certain type of room which you could slip in and out of at night or by day without being seen?"

"I never did. Besides, no one could very well slip in or out of that house without being seen."

"And why not?"

"Because the door to her room was right next to the door to the general front entrance where everybody went in and out and anybody that was around could see." That was another answer he had memorized.

"But you slipped in and out, didn't you?"

"Well, yes, sir—that is, we both decided from the first that the less we were seen together anywhere, the better."

"On account of that factory rule?"

"Yes, sir—on account of that factory rule."

And then the story of his various difficulties with Roberta, due to Miss X coming into his life.

"Now, Clyde, we will have to go into the matter of this Miss X a little. Because of an agreement between the defense and the prosecution which you gentlemen of the jury fully understand, we can only touch on this incidentally, since it all concerns an entirely innocent person whose real name can be of no service here anyhow. But some of the facts must be touched upon, although we will deal with them as light as possible, as much for the sake of the innocent living as the worthy dead. And I am sure Miss Alden would have it so if she were alive. But now in

regard to Miss X," he continued, turning to Clyde, "it is already agreed by both sides that you met her in Lycurgus some time in November or December of last year. That is correct, is it not?"

"Yes, sir, that is correct," replied Clyde, sadly.

"And that at once you fell very much in love with her?"

"Yes, sir. That's true."

"She was rich?"

"Yes, sir."

"Beautiful?"

"I believe it is admitted by all that she is," he said to the court in general without requiring or anticipating a reply from Clyde, yet the latter, so thoroughly drilled had he been, now replied: "Yes, sir."

"Had you two—yourself and Miss Alden, I mean—at that time when you first met Miss X already established that illicit relationship referred to?"

"Yes, sir."

"Well, now, in view of all that—but no, one moment, there is something else I want to ask you first—now, let me see—at the time that you first met this Miss X you were still in love with Roberta Alden, were you—or were you not?"

"I was still in love with her—yes, sir."

"You had not, up to that time at least, in any way become weary of her? Or had you?"

"No, sir. I had not."

"Her love and her companionship were just as precious and delightful to you as ever?"

"Yes, sir, they were."

And as Clyde said that, he was thinking back and it seemed to him that what he had just said was really true. It was true that just before meeting Sondra he was actually at the zenith of content and delight with Roberta.

"And what, if any, were your plans for your future with Miss Alden—before you met this Miss X? You must have thought at times of that, didn't you?"

"Well, not exactly," (and as he said this he licked his lips in sheer nervousness). "You see, I never had any real plan to do anything—that is, to do anything that wasn't quite right with her. And neither did she, of course. We just drifted kinda, from the first. It was being alone there so much, maybe. She hadn't taken up with anybody yet and I hadn't either. And then there was that rule that kept me from taking her about anywhere,

and once we were together, of course we just went on without thinking very much about it, I suppose—either of us."

"You just drifted because nothing had happened as yet and you didn't suppose anything would. Is that the way?"

"No, sir. I mean, yes, sir. That's the way it was." Clyde was very eager to get these much-rehearsed and very important answers, just right.

"But you must have thought of something—one or both of you. You were twenty-one and she was twenty-three."

"Yes, sir. I suppose we did—I suppose I did think of something now and then."

"And what was it that you thought? Can you recollect?"

"Well, yes, sir, I suppose I can. That is, I know that I did think at times that if things went all right and I made a little more money and she got a place somewhere else, that I would begin taking her out openly, and then afterwards maybe, if she and I kept on caring for each other as we did then, marry her, maybe."

"You actually thought of marrying her then, did you?"

"Yes, sir. I know I did in the way that I've said, of course."

"But that was before you met this Miss X?"

"Yes, sir, that was before that."

("Beautifully done!" observed Mason, sarcastically, under his breath to State Senator Redmond. "Excellent stage play," replied Redmond in a stage whisper.)

"But did you ever tell her in so many words?" continued Jephson.

"Well, no, sir. I don't recall that I did—not just in so many words."

"You either told her or you didn't tell her. Now, which was it?"

"Well, neither, quite. I used to tell her that I loved her and that I never wanted her to leave me and that I hoped she never would."

"But not that you wanted to marry her?"

"No, sir. Not that I wanted to marry her."

"Well, well, all right!—and she—what did she say?"

"That she never would leave me," replied Clyde, heavily and fearsomely, thinking, as he did so, of Roberta's last cries and her eyes bent on him. And he took from his pocket a handkerchief and began to wipe his moist, cold face and hands.

("Well staged!" murmured Mason, softly and cynically. "Pretty shrewd—pretty shrewd!" commented Redmond, lightly.)

"But, tell me," went on Jephson, softly and coldly, "feeling as you did about Miss Alden, how was it that upon meeting this Miss X, you could change so quickly? Are you so fickle that you don't know your own mind from day to day?"

"Well, I didn't think so up to that time—no, sir!"

"Had you ever had a strong and binding love affair at any time in your life before you met Miss Alden?"

"No, sir."

"But did you consider this one with Miss Alden strong and binding—a true love affair—up to the time you met this Miss X?"

"Yes, sir, I did."

"And afterwards—then what?"

"Well—afterwards—it wasn't quite like that any more."

"You mean to say that on sight of Miss X, after encountering her once or twice, you ceased to care for Miss Alden entirely?

"Well, no, sir. It wasn't quite like that," volunteered Clyde, swiftly and earnestly. "I did continue to care for her some—quite a lot, really. But before I knew it I had completely lost my head over—over Miss—Miss——"

"Yes, this Miss X. We know. You fell madly and unreasonably in love with her. Was that the way of it?"

"Yes, sir."

"And then?"

"Well—and then—I just couldn't care for Miss Alden so much any more." A thin film of moisture covered Clyde's forehead and cheeks as he spoke.

"I see! I see!" went on Jephson, oratorically and loudly, having the jury and audience in mind. "A case of the Arabian Nights, of the enscorcelled and the enscorcellor."

"I don't think I know what you mean," said Clyde.

"A case of being bewitched, my poor boy—by beauty, love, wealth, by things that we sometimes think we want very, very much, and cannot ever have—that is what I mean, and that is what much of the love in the world amounts to."

"Yes, sir," replied Clyde, quite innocently, concluding rightly that this was a mere show of rhetoric on Jephson's part.

"But what I want to know is—how was it that loving Miss Alden as much as you say you did—and having reached that relationship which should have been sanctioned by marriage—how was it that you could have felt so little bound or obligated to her as to entertain the idea of casting her over for this Miss X? Now just how was that? I would like to know, and so would

this jury, I am sure. Where was your sense of gratitude? Your sense of moral obligation? Do you mean to say that you have none? We want to know."

This was really cross-examination—an attack on his own witness. Yet Jephson was within his rights and Mason did not interfere.

"Well . . ." and here Clyde hesitated and stumbled, quite as if he had not been instructed as to all this beforehand, and seemed to and did truly finger about in his own mind or reason for some thought that would help him to explain all this. For although it was true that he had memorized the answer, now that he was confronted by the actual question here in court, as well as the old problem that had so confused and troubled him in Lycurgus, he could scarcely think clearly of all he had been told to say, but instead twisted and turned, and finally came out with:

"The fact is, I didn't think about those things at all very much. I couldn't after I saw her. I tried to at times, but I couldn't. I only wanted her and I didn't want Miss Alden any more. I knew I wasn't doing right—exactly—and I felt sorry for Roberta—but just the same I didn't seem able to do anything much about it. I could only think of Miss X and I couldn't think of Roberta as I had before no matter how hard I tried."

"Do you mean to say that you didn't suffer in your own conscience on account of this?"

"Yes, sir, I suffered," replied Clyde. "I knew I wasn't doing right, and it made me worry a lot about her and myself, but just the same I didn't seem to be able to do any better." (He was repeating words that Jephson had written out for him, although at the time he first read them he felt them to be fairly true. He had suffered some.)

"And then?"

"Well, then she began to complain because I didn't go round to see her as much as before."

"In other words, you began to neglect her."

"Yes, sir, some—but not entirely—no, sir."

"Well, when you found you were so infatuated with this Miss X, what did you do? Did you go and tell Miss Alden that you were no longer in love with her but in love with some one else?"

"No, I didn't. Not then."

"Why not then? Did you think it fair and honorable to be telling two girls at once that you cared for them?"

"No, sir, but it wasn't quite like that either. You see at that time I was just getting acquainted with Miss X, and I wasn't telling her anything. She wouldn't let me. But I knew then, just the same, that I couldn't care for Miss Alden any more."

"But what about the claim Miss Alden had on you? Didn't you feel that that was enough or should be, to prevent you from running after another girl?"

"Yes, sir."

"Well, why did you then?"

"I couldn't resist her."

"Miss X, you mean?"

"Yes, sir."

"And so you continued to run after her until you had made her care for you?"

"No, sir, that wasn't the way at all."

"Well then, what was the way?"

"I just met her here and there and got crazy about her."

"I see. But still you didn't go and tell Miss Alden that you couldn't care for her any longer?"

"No, sir. Not then."

"And why not?"

"Because I thought it would hurt her, and I didn't want to do that."

"Oh, I see. You didn't have the moral or mental courage to do it then?"

"I don't know about the moral or mental courage," replied Clyde, a little hurt and irritated by this description of himself, "but I felt sorry for her just the same. She used to cry and I didn't have the heart to tell her anything."

"I see. Well, let it stand that way, if you want to. But now answer me one other thing. That relationship between you two —what about that—after you knew that you didn't care for her any more. Did that continue?"

"Well, no, sir, not so very long, anyhow," replied Clyde, most nervously and shamefacedly. He was thinking of all the people before him now—of his mother—Sondra—of all the people throughout the entire United States—who would read and so know. And on first being shown these questions weeks and weeks before he had wanted to know of Jephson what the use of all that was. And Jephson had replied: "Educational effect. The quicker and harder we can shock 'em with some of the real facts of life around here, the easier it is going to be for you to get a little more sane consideration of what your problem was. But don't worry your head over that now. When the time

comes, just answer 'em and leave the rest to us. We know what we're doing." And so now Clyde added:

"You see, after meeting Miss X I couldn't care for her so much that way any more, and so I tried not to go around her so much any more. But anyhow, it wasn't so very long after that before she got in trouble and then—well——"

"I see. And when was that—about?"

"Along in the latter part of January last year."

"And once that happened, then what? Did you or did you not feel that it was your duty under the circumstances to marry her?"

"Well, no—not the way things were then—that is, if I could get her out of it, I mean."

"And why not? What do you mean by 'as things were then'?"

"Well, you see, it was just as I told you. I wasn't caring for her any more, and since I hadn't promised to marry her, and she knew it, I thought it would be fair enough if I helped her out of it and then told her that I didn't care for her as I once did."

"But couldn't you help her out of it?"

"No, sir. But I tried."

"You went to that druggist who testified here?"

"Yes, sir."

"To anybody else?"

"Yes, sir—to seven others before I could get anything at all."

"But what you got didn't help?"

"No, sir."

"Did you go to that young haberdasher who testified here as he said?"

"Yes, sir."

"And did he give you the name of any particular doctor?"

"Well—yes—but I wouldn't care to say which one."

"All right, you needn't. But did you send Miss Alden to any doctor?"

"Yes, sir."

"Did she go alone or did you go with her?"

"I went with her—that is, to the door."

"Why only to the door?"

"Well, we talked it over, and she thought just as I did, that it might be better that way. I didn't have any too much money at the time. I thought he might be willing to help her for less if she went by herself than if we both went together."

("I'll be damned if he isn't stealing most of my thunder," thought Mason to himself at this point. "He's forestalling most of the things I intended to riddle him with." And he sat up worried. Burleigh and Redmond and Earl Newcomb—all now saw clearly what Jephson was attempting to do.)

"I see. And it wasn't by any chance because you were afraid that your uncle or Miss X might hear of it?"

"Oh, yes, I . . . that is, we both thought of that and talked of it. She understood how things were with me down there."

"But not about Miss X?"

"No, not about Miss X."

"And why not?"

"Well, because I didn't think I could very well tell her just then. It would have made her feel too bad. I wanted to wait until she was all right again."

"And then tell her and leave her. Is that what you mean?"

"Well, yes, if I still couldn't care for her any more—yes, sir."

"But not if she was in trouble?"

"Well, no, sir, not if she was in trouble. But you see, at that time I was expecting to be able to get her out of that."

"I see. But didn't her condition affect your attitude toward her—cause you to want to straighten the whole thing out by giving up this Miss X and marrying Miss Alden?"

"Well, no, sir—not then exactly—that is, not at that time."

"How do you mean—'not at that time'?"

"Well, I did come to feel that way later, as I told you—but not then—that was afterwards—after we started on our trip to the Adirondacks."

"And why not then?"

"I've said why. I was too crazy about Miss X to think of anything but her."

"You couldn't change even then?"

"No, sir. I felt sorry, but I couldn't."

"I see. But never mind that now. I will come to that later. Just now I want to have you explain to the jury, if you can, just what it was about this Miss X, as contrasted with Miss Alden, that made her seem so very much more desirable in your eyes. Just what characteristics of manner or face or mind or position—or whatever it was that so enticed you? Or do you know?"

This was a question which both Belknap and Jephson in various ways and for various reasons—psychic, legal, personal—had asked Clyde before, and with varying results. At first he could not and would not discuss her at all, fearing that whatever

he said would be seized upon and used in his trial and the newspapers along with her name. But later, when because of the silence of the newspapers everywhere in regard to her true name, it became plain that she was not to be featured, he permitted himself to talk more freely about her. But now here on the stand, he grew once more nervous and reticent.

"Well, you see, it's hard to say. She was very beautiful to me. Much more so than Roberta—but not only that, she was different from any one I had ever known—more independent—and everybody paid so much attention to what she did and what she said. She seemed to know more than any one else I ever knew. Then she dressed awfully well, and was very rich and in society and her name and pictures were always in the paper. I used to read about her every day when I didn't see her, and that seemed to keep her before me a lot. She was daring, too—not so simple or trusting as Miss Alden was—and at first it was hard for me to believe that she was becoming so interested in me. It got so that I couldn't think of any one or anything else, and I didn't want Roberta any more. I just couldn't, with Miss X always before me."

"Well, it looks to me as if you might have been in love, or hypnotized at that," insinuated Jephson at the conclusion of this statement, the tail of his right eye upon the jury. "If that isn't a picture of pretty much all gone, I guess I don't know one when I see it." But with the audience and the jury as stony-faced as before, as he could see.

But immediately thereafter the swift and troubled waters of the alleged plot which was the stern trail to which all this was leading.

"Well, now, Clyde, from there on, just what happened? Tell us now, as near as you can recall. Don't shade it or try to make yourself look any better or any worse. She is dead, and you may be, eventually, if these twelve gentlemen here finally so decide." (And at this an icy chill seemed to permeate the entire courtroom as well as Clyde.) "But the truth for the peace of your own soul is the best,"—and here Jephson thought of Mason—let him counteract that if he can.

"Yes, sir," said Clyde, simply.

"Well, then, after she got in trouble and you couldn't help her, then what? What was it you did? How did you act? . . . By the way, one moment—what was your salary at that time?"

"Twenty-five dollars a week," confessed Clyde.

"No other source of income?"

"I didn't quite hear."

"Was there any other source from which you were obtaining any money at that time in any way?"

"No, sir."

"And how much was your room?"

"Seven dollars a week."

"And your board?"

"Oh, from five to six."

"Any other expenses?"

"Yes, sir—my clothes and laundry."

"You had to stand your share of whatever social doings were on foot, didn't you?"

"Objected to as leading!" called Mason.

"Objection sustained," replied Justice Oberwaltzer.

"Any other expenses that you can think of?"

"Well, there were carfares and trainfares. And then I had to share in whatever social expenses there were."

"Exactly!" cried Mason, with great irritation. "I wish you would quit leading this parrot here."

"I wish the honorable district attorney would mind his own business!" snorted Jephson—as much for Clyde's benefit as for his own. He wished to break down his fear of Mason. "I'm examining this defendant, and as for parrots we've seen quite a number of them around here in the last few weeks, and coached to the throat like school-boys."

"That's a malicious lie!" shouted Mason. "I object and demand an apology."

"The apology is to me and to this defendant, if your Honor pleases, and will be exacted quickly if your Honor will only adjourn this court for a few minutes," and then stepping directly in front of Mason, he added: "And I will be able to obtain it without any judicial aid." Whereupon Mason, thinking he was about to be attacked, squared off, the while assistants and deputy sheriffs, and stenographers and writers, and the clerk of the court himself, gathered round and seized the two lawyers while Justice Oberwaltzer pounded violently on his desk with his gavel:

"Gentlemen! Gentlemen! You are both in contempt of court, both of you! You will apologize to the court and to each other, or I'll declare a mis-trial and commit you both for ten days and fine you five hundred dollars each." With this he leaned down and frowned on both. And at once Jephson replied, most suavely and ingratiatingly: "Under the circumstances, your Honor, I apologize to you and to the attorney for the People and to this jury. The attack on this defendant, by the district attorney, seemed too unfair and uncalled for—that was all."

"Never mind that," continued Oberwaltzer.

"Under the circumstances, your Honor, I apologize to you and to the counsel for the defense. I was a little hasty, perhaps. And to this defendant also," sneered Mason, after first looking into Justice Oberwaltzer's angry and uncompromising eyes and then into Clyde's, who instantly recoiled and turned away.

"Proceed," growled Oberwaltzer, sullenly.

"Now, Clyde," resumed Jephson anew, as calm as though he had just lit and thrown away a match. "You say your salary was twenty-five dollars and you had these various expenses. Had you, up to this time, been able to put aside any money for a rainy day?"

"No, sir—not much—not any, really."

"Well, then, supposing some doctor to whom Miss Alden had applied had been willing to assist her and wanted—say a hundred dollars or so—were you ready to furnish that?"

"No, sir—not right off, that is."

"Did she have any money of her own that you know of?"

"None that I know of—no, sir."

"Well, how did you intend to help her then?"

"Well, I thought if either she or I found any one and he would wait and let me pay for it on time, that I could save and pay it that way, maybe."

"I see. You were perfectly willing to do that, were you?"

"Yes, sir, I was."

"You told her so, did you?"

"Yes, sir. She knew that."

"Well, when neither you nor she could find any one to help her, then what? What did you do next?"

"Well, then she wanted me to marry her."

"Right away?"

"Yes, sir. Right away."

"And what did you say to that?"

"I told her I just couldn't then. I didn't have any money to get married on. And besides if I did and didn't go away somewhere, at least until the baby was born, everybody would find out and I couldn't have stayed there anyhow. And she couldn't either."

"And why not?"

"Well, there were my relatives. They wouldn't have wanted to keep me any more, or her either, I guess."

"I see. They wouldn't have considered you fit for the work you were doing, or her either. Is that it?"

"I thought so, anyhow," replied Clyde.

"And then what?"

"Well, even if I had wanted to go away with her and marry her, I didn't have enough money to do that and she didn't either. I would have had to give up my place and gone and found another somewhere before I could let her come. Besides that, I didn't know any place where I could go and earn as much as I did there."

"How about hotel work? Couldn't you have gone back to that?"

"Well, maybe—if I had had an introduction of some kind. But I didn't want to go back to that."

"And why not?"

"Well, I didn't like it so much any more—not that kind of life."

"But you didn't mean that you didn't want to do anything at all, did you? That wasn't your attitude, was it?"

"Oh, no, sir. That wasn't it. I told her right away if she would go away for a while—while she had her baby—and let me stay on there in Lycurgus, that I would try to live on less and give her all I could save until she was all right again."

"But not marry her?"

"No, sir, I didn't feel that I could do that then."

"And what did she say to that?"

"She wouldn't do it. She said she couldn't and wouldn't go through with it unless I would marry her."

"I see. Then and there?"

"Well, yes—pretty soon, anyhow. She was willing to wait a little while, but she wouldn't go away unless I would marry her."

"And did you tell her that you didn't care for her any more?"

"Well, nearly—yes, sir."

"What do you mean by 'nearly'?"

"Well, that I didn't want to. Besides, she knew I didn't care for her any more. She said so herself."

"To you, at that time?"

"Yes, sir. Lots of times."

"Well, yes, that's true—it was in all of those letters of hers that were read here. But when she refused so flatly, what did you do then?"

"Well, I didn't know what to do. But I thought maybe if I could get her to go up to her home for a while, while I tried and saved what I could—well . . . maybe . . . once she was up there and saw how much I didn't want to marry her——" (Clyde paused and fumbled at his lips. This lying was hard.)

"Yes, go on. And remember, the truth, however ashamed of it you may be, is better than any lie."

"And maybe when she was a little more frightened and not so determined——"

"Weren't you frightened, too?"

"Yes, sir, I was."

"Well, go on."

"That then—well—maybe if I offered her all that I had been able to save up to then—you see I thought maybe I might be able to borrow some from some one too—that she might be willing to go away and not make me marry her—just live somewhere and let me help her."

"I see. But she wouldn't agree to that?"

"Well, no—not to my not marrying her, no—but to going up there for a month, yes. I couldn't get her to say that she would let me off."

"But did you at that or any other time before or subsequent to that say that you would come up there and marry her?"

"No, sir. I never did."

"Just what did you say then?"

"I said that . . . as soon as I could get the money," stuttered Clyde at this point, so nervous and shamed was he, "I would come for her in about a month and we could go away somewhere until—until—well, until she was out of that."

"But you did not tell her that you would marry her?"

"No, sir. I did not."

"But she wanted you to, of course."

"Yes, sir."

"Had you any notion that she could force you so to do at that time—marry her against your will, I mean?"

"No, sir, I didn't. Not if I could help it. My plan was to wait as long as I could and save all the money I could and then when the time came just refuse and give her all the money that I had and help her all I could from then on."

"But you know," proceeded Jephson, most suavely and diplomatically at this point, "there are various references in these letters here which Miss Alden wrote you"—and he reached over and from the district attorney's table picked up the original letters of Roberta and weighed them solemnly in his hand—"to a *plan* which you two had in connection with this trip—or at least that she seemed to think you had. Now, exactly what was that plan? She distinctly refers to it, if I recall aright, as 'our plan.'"

"I know that," replied Clyde—since for two months now he, along with Belknap and Jephson, had discussed this particular

question. "But the only plan I know of"—and here he did his best to look frank and be convincing—"was the one that I offered over and over."

"And what was that?"

"Why, that she go away and take a room somewhere and let me help her and come over and see her once in a while."

"Well, no, you're wrong there," returned Jephson, slyly. "That isn't and couldn't be the plan she had in mind. She says in one of these letters that she knows it will be hard on you to have to go away and stay so long, or until she is out of this thing, but that it can't be helped."

"Yes, I know," replied Clyde, quickly and exactly as he had been told to do, "but that was her plan, not mine. She kept saying to me most of the time that that was what she wanted me to do, and that I would have to do it. She told me that over the telephone several times, and I may have said all right, all right, not meaning that I agreed with her entirely but that I wanted to talk with her about it some more later."

"I see. And so that's what you think—that she meant one thing and you meant another."

"Well, I know I never agreed to her plan—exactly. That is, I never did any more than just to ask her to wait and not do anything until I could get money enough together to come up there and talk to her some more and get her to go away—the way I suggested."

"But if she wouldn't accede to your plan, then what?"

"Well, then I was going to tell her about Miss X, and beg her to let me go."

"And if she still wouldn't?"

"Well, then I thought I might run away, but I didn't like to think about that very much."

"You know, Clyde, of course, that some here are of the opinion that there was a plot on your part which originated in your mind about this time to conceal your identity and hers and lure her up there to one of those lone lakes in the Adirondacks and slay her or drown her in cold blood, in order that you might be free to marry this Miss X. Any truth in that? Tell this jury—yes or no—which is it?"

"No! No! I never did plot to kill her, or any one," protested Clyde, quite dramatically, and clutching at the arms of his chair and seeking to be as emphatic as possible, since he had been instructed so to do. At the same time he arose in his seat and sought to look stern and convincing, although in his heart and mind was the crying knowledge that he had so plotted, and

this it was that most weakened him at this moment—most painfully and horribly weakened him. The eyes of all these people. The eyes of the judge and jury and Mason and all the men and women of the press. And once more his brow was wet and cold and he licked his thin lips nervously and swallowed with difficulty because his throat was dry.

And then it was that piecemeal, and beginning with the series of letters written by Roberta to Clyde after she reached her home and ending with the one demanding that he come for her or she would return to Lycurgus and expose him, Jephson took up the various phases of the "alleged" plot and crime, and now did his best to minimize and finally dispel all that had been testified to so far.

Clyde's suspicious actions in not writing Roberta. Well, he was afraid of complications in connection with his relatives, his work, everything. And the same with his arranging to meet her in Fonda. He had no plan as to any trip with her anywhere in particular at the time. He only thought vaguely of meeting her somewhere—anywhere—and possibly persuading her to leave him. But July arriving and his plan still so indefinite, the first thing that occurred to him was that they might go off to some inexpensive resort somewhere. It was Roberta who in Utica had suggested some of the lakes north of there. It was there in the hotel, not at the railway station, that he had secured some maps and folders—a fatal contention in one sense, for Mason had one folder with a Lycurgus House stamp on the cover, which Clyde had not noticed at the time. And as he was so testifying, Mason was thinking of this. In regard to leaving Lycurgus by a back street—well, there had been a desire to conceal his departure with Roberta, of course, but only to protect her name and his from notoriety. And so with the riding in separate cars, registering as Mr. and Mrs. Clifford Golden, and so on indefinitely throughout the entire list of shifty concealments and evasions. In regard to the two hats, well, the one hat was soiled and seeing one that he liked he bought it. Then when he lost the hat in the accident he naturally put on the other. To be sure, he had owned and carried a camera, and it was true that he had it at the Cranstons' on his first visit there on the eighteenth of June. The only reason he denied having it at first was because he was afraid of being identified with this purely accidental death of Roberta in a way that would be difficult to explain. He had been falsely charged with her murder immediately upon his arrest in the woods, and he was fearful of his entire connection with this ill-fated trip, and not having any lawyer or any one to say

a word for him, he thought it best to say nothing and so for the time being had denied everything, although at once on being provided counsel he had confided to his attorneys the true facts of the case.

And so, too, with the missing suit, which because it was wet and muddy he had done up in a bundle in the woods and after reaching the Cranstons' had deposited it behind some stones there, intending to return and secure it and have it dry-cleaned. But on being introduced to Mr. Belknap and Mr. Jephson he had at once told both and they had secured it and had it cleaned for him.

"But now, Clyde, in regard to your plans and your being out on that lake in the first place—let's hear about that now."

And then—quite as Jephson had outlined it to Belknap, came the story of how he and Roberta had reached Utica and afterwards Grass Lake. And yet no plan. He intended, if worst came to worst, to tell her of his great love for Miss X and appeal to her sympathy and understanding to set him free at the same time that he offered to do anything that he could for her. If she refused he intended to defy her and leave Lycurgus, if necessary, and give up everything.

"But when I saw her at Fonda, and later in Utica, looking as tired and worried as she was," and here Clyde was endeavoring to give the ring of sincerity to words carefully supplied him, "and sort of helpless, I began to feel sorry for her again."

"Yes, and then what?"

"Well, I wasn't quite so sure whether in case she refused to let me off I could go through with leaving her."

"Well, what did you decide then?"

"Not anything just then. I listened to what she had to say and I tried to tell her how hard it was going to be for me to do anything much, even if I did go away with her. I only had fifty dollars."

"Yes?"

"And then she began to cry, and I decided I couldn't talk to her any more about it there. She was too run-down and nervous. So I asked her if there wasn't any place she would like to go to for a day or two to brace herself up a little," went on Clyde, only here on account of the blackness of the lie he was telling he twisted and swallowed in the weak, stigmatic way that was his whenever he was attempting something which was beyond him—any untruth or a feat of skill—and then added: "And she said yes, maybe to one of those lakes up in the Adirondacks—it didn't make much difference which one—if we could

afford it. And when I told her, mostly because of the way she was feeling, that I thought we could——"

"Then you really only went up there on her account?"

"Yes, sir, only on account of her."

"I see. Go on."

"Well, then she said if I would go downstairs or somewhere and get some folders we might be able to find a place up there somewhere where it wasn't so expensive."

"And did you?"

"Yes, sir."

"Well, and then what?"

"Well, we looked them over and we finally hit on Grass Lake."

"Who did? The two of you—or she?"

"Well, she took one folder and I took another, and in hers she found an ad about an inn up there where two people could stay for twenty-one dollars a week, or five dollars a day for the two. And I thought we couldn't do much better than that for one day."

"Was one day all you intended to stay?"

"No, sir. Not if she wanted to stay longer. My idea at first was that we might stay one or two days or three. I couldn't tell—whatever time it took me to talk things out with her and make her understand and see where I stood."

"I see. And then . . . ?"

"Well, then we went up to Grass Lake the next morning."

"In separate cars still?"

"Yes, sir—in separate cars."

"And when you got there?"

"Why, we registered."

"How?"

"Clifford Graham and wife."

"Still afraid some one would know who you were?"

"Yes, sir."

"Did you try to disguise your handwriting in any way?"

"Yes, sir—a little."

"But just why did you always use your own initials—C. G.?"

"Well, I thought that the initials on my bag should be the same as the initials on the register, and still not be my name either."

"I see. Clever in one sense, not so clever in another—just half clever, which is the worst of all." At this Mason half rose in his seat as though to object, but evidently changing his mind, sank slowly back again. And once more Jephson's right

eye swiftly and inquiringly swept the jury to his right. "Well, did you finally explain to her that you wanted to be done with it all as you had planned—or did you not?"

"I wanted to talk to her about it just after we got there if I could—the next morning, anyhow—but just as soon as we got off up there and got settled she kept saying to me that if I would only marry her then—that she would not want to stay married long—that she was so sick and worried and felt so bad—that all she wanted to do was to get through and give the baby a name, and after that she would go away and let me go my way, too."

"And then?"

"Well, and then—then we went out on the lake——"

"Which lake, Clyde?"

"Why, Grass Lake. We went out for a row after we got there."

"Right away? In the afternoon?"

"Yes, sir. She wanted to go. And then while we were out there rowing around——" (He paused.)

"Yes, go on."

"She got to crying again, and she seemed so much up against it and looked so sick and so worried that I decided that after all she was right and I was wrong—that it wouldn't be right, on account of the baby and all, not to marry her, and so I thought I had better do it."

"I see. A change of heart. And did you tell her that then and there?"

"No, sir."

"And why not? Weren't you satisfied with the trouble you had caused her so far?"

"Yes, sir. But you see just as I was going to talk to her at that time I got to thinking of all the things I had been thinking before I came up."

"What, for instance?"

"Why, Miss X and my life in Lycurgus, and what we'd be up against in case we did go away this way."

"Yes."

"And . . . well . . . and then I couldn't just tell her then—not that day, anyhow."

"Well, when did you tell her then?"

"Well, I told her not to cry any more—that I thought maybe it would be all right if she gave me twenty-four hours more to think things all out—that maybe we'd be able to settle on something."

"And then?"

"Well, then she said after a while that she didn't care for Grass Lake. She wished we would go away from there."

"*She* did?"

"Yes. And then we got out the maps again and I asked a fellow at the hotel there if he knew about the lakes up there. And he said of all the lakes around there Big Bittern was the most beautiful. I had seen it once, and I told Roberta about it and what the man said, and then she asked why didn't we go there."

"And is that why you went there?"

"Yes, sir."

"No other reason?"

"No, sir—none—except that it was back, or south, and we were going that way anyhow."

"I see. And that was Thursday, July eighth?"

"Yes, sir."

"Well, now, Clyde, as you have seen, it has been charged here that you took Miss Alden to and out on that lake with the sole and premeditated intent of killing her—murdering her—finding some unobserved and quiet spot and then first striking her with your camera, or an oar, or club, or stone maybe, and then drowning her. Now, what have you to say to that? Is that true, or isn't it?"

"No, sir! It's not true!" returned Clyde, clearly and emphatically. "I never went there of my own accord in the first place, and I only went there because she didn't like Grass Lake." And here, because he had been sinking down in his chair, he pulled himself up and looked at the jury and the audience with what measure of strength and conviction he could summon—as previously he had been told to do. At the same time he added: "And I wanted to please her in any way that I could so that she might be a little more cheerful."

"Were you still as sorry for her on this Thursday as you had been the day before?"

"Yes, sir—more, I think."

"And had you definitely made up your mind by then as to what you wanted to do?"

"Yes, sir."

"Well, and just what was that?"

"Well, I had decided to play as fair as I could. I had been thinking about it all night, and I realized how badly she would feel and I too if I didn't do the right thing by her—because she had said three or four times that if I didn't she would kill herself. And I had made up my mind that morning that whatever

else happened that day, I was going to straighten the whole thing out."

"This was at Grass Lake. You were still in the hotel on Thursday morning?"

"Yes, sir."

"And you were going to tell her just what?"

"Well, that I knew that I hadn't treated her quite right and that I was sorry—besides, that her offer was fair enough, and that if after what I was going to tell her she still wanted me, I would go away with her and marry her. But that I had to tell her first the real reason for my changing as I had—that I had been and still was in love with another girl and that I couldn't help it—that probably whether I married her or not——"

"Miss Alden you mean?"

"Yes, sir—that I would always go on loving this other girl, because I just couldn't get her out of my mind. But just the same, if that didn't make any difference to her, that I would marry her even if I couldn't love her any more as I once did. That was all."

"But what about Miss X?"

"Well, I had thought about her too, but I thought she was better off and could stand it easier. Besides, I thought perhaps Roberta would let me go and we could just go on being friends and I would help her all I could."

"Had you decided just where you would marry her?"

"No, sir. But I knew there were plenty of towns below Big Bittern and Grass Lake."

"But were you going to do that without one single word to Miss X beforehand?"

"Well, no, sir—not exactly. I figured that if Roberta wouldn't let me off but didn't mind my leaving her for a few days, I would go down to where Miss X lived and tell her, and then come back. But if she objected to that, why then I was going to write Miss X a letter and explain how it was and then go on and get married to Roberta."

"I see. But, Clyde, among other bits of testimony here, there was that letter found in Miss Alden's coat pocket—the one written on Grass Lake Inn stationery and addressed to her mother, in which she told her that she was about to be married. Had you already told her up there at Grass Lake that morning that you were going to marry her for sure?"

"No, sir. Not exactly, but I did say on getting up that day that it was the deciding day for us and that she was going to be

able to decide for herself whether she wanted me to marry her or not."

"Oh, I see. So that's it," smiled Jephson, as though greatly relieved. (And Mason and Newcomb and Burleigh and State Senator Redmond all listening with the profoundest attention, now exclaimed, *sotto voce* and almost in unison: "Of all the bunk!")

"Well, now we come to the trip itself. You have heard the testimony here and the dark motive and plotting that has been attributed to every move in connection with it. Now I want you to tell it in your own way. It has been testified here that you took both bags—yours and hers—up there with you but that you left hers at Gun Lodge when you got there and took your own out on the lake in that boat with you. Now just why did you do that? Please speak so that all of the jurymen can hear you."

"Well, the reason for that was," and here once more his throat became so dry that he could scarcely speak, "we didn't know whether we could get any lunch at Big Bittern, so we decided to take some things along with us from Grass Lake. Her bag was packed full of things, but there was room in mine. Besides, it had my camera with the tripod outside. So I decided to leave hers and take mine."

"*You* decided?"

"Well, I asked her what she thought and she said she thought that was best."

"Where was it you asked her that?"

"On the train coming down."

"And did you know then that you were coming back to Gun Lodge after going out on the lake?"

"Yes, sir, I did. We had to. There was no other road. They told us that at Grass Lake."

"And in riding over to Big Bittern—do you recall the testimony of the driver who drove you over—that you were 'very nervous' and that you asked him whether there were many people over there that day?"

"I recall it, yes, sir, but I wasn't nervous at all. I may have asked about the people, but I can't see anything wrong with that. It seems to me that any one might ask that."

"And so it seems to me," echoed Jephson. "Then what happened after you registered at Big Bittern Inn and got into that boat and went out on the lake with Miss Alden? Were you or she especially preoccupied or nervous or in any state different from that of any ordinary person who goes out on a lake to row?

Were you particularly happy or particularly gloomy, or what?"

"Well, I don't think I was especially gloomy—no, sir. I was thinking of all I was going to tell her, of course, and of what was before me either way she decided. I wasn't exactly gay, I guess, but I thought it would be all right whichever way things went. I had decided that I was willing to marry her."

"And how about her? Was she quite cheerful?"

"Well—yes, sir. She seemed to feel much happier for some reason."

"And what did you talk about?"

"Oh, about the lake first—how beautiful it was and where we would have our lunch when we were ready for it. And then we rowed along the west shore looking for water lilies. She was so happy that I hated to bring up anything just then, and so we just kept on rowing until about two, when we stopped for lunch."

"Just where was that? Just get up and trace on the map with that pointer there just where you did go and how long you stopped and for what."

And so Clyde, pointer in hand and standing before the large map of the lake and region which particularly concerned this tragedy, now tracing in detail the long row along the shore, a group of trees, which, after having lunch, they had rowed to see—a beautiful bed of water lilies which they had lingered over —each point at which they had stopped, until reaching Moon Cove at about five in the afternoon, they had been so entranced by its beauty that they had merely sat and gazed, as he said. Afterwards, in order that he might take some pictures, they had gone ashore in the woods nearby—he all the while preparing himself to tell Roberta of Miss X and ask her for her final decision. And then having left the bag on shore for a few moments while they rowed out and took some snapshots in the boat, they had drifted in the calm of the water and the stillness and beauty until finally he had gathered sufficient courage to tell her what was in his heart. And at first, as he now said, Roberta seemed greatly startled and depressed and began crying a little, saying that perhaps it was best for her not to live any longer—she felt so miserable. But, afterwards, when he had impressed on her the fact that he was really sorry and perfectly willing to make amends, she had suddenly changed and begun to grow more cheerful, and then of a sudden, in a burst of tenderness and gratefulness—he could not say exactly—she had jumped up and tried to come to him. Her arms were outstretched and she moved as if to throw herself at his feet or into

his lap. But just then, her foot, or her dress, had caught and she had stumbled. And he—camera in hand—(a last minute decision or legal precaution on the part of Jephson)—had risen instinctively to try to catch her and stop her fall. Perhaps—he would not be able to say here—her face or hand had struck the camera. At any rate, the next moment, before he quite understood how it all happened, and without time for thought or action on his part or hers, both were in the water and the boat, which had overturned, seemed to have struck Roberta, for she seemed to be stunned.

"I called to her to try to get to the boat—it was moving away—to take hold of it, but she didn't seem to hear me or understand what I meant. I was afraid to go too near her at first because she was striking out in every direction—and before I could swim ten strokes forward her head had gone down once and come up and then gone down again for a second time. By then the boat had floated all of thirty or forty feet away and I knew that I couldn't get her into that. And then I decided that if I wanted to save myself I had better swim ashore."

And once there, as he now narrated, it suddenly occurred to him how peculiar and suspicious were all the circumstances surrounding his present position. He suddenly realized, as he now said, how bad the whole thing looked from the beginning. The false registering. The fact his bag was there—hers not. Besides, to return now meant that he would have to explain and it would become generally known—and everything connected with his life would go—Miss X, his work, his social position—all—whereas, if he said nothing (and here it was, and for the first time, as he now swore, that this thought occurred to him), it might be assumed that he too had drowned. In view of this fact and that any physical help he might now give her would not restore her to life, and that acknowledgment would mean only trouble for him and shame for her, he decided to say nothing. And so, to remove all traces, he had taken off his clothes and wrung them out and wrapped them for packing as best he could. Next, having left the tripod on shore with his bag, he decided to hide that, and did. His first straw hat, the one without the lining (but about which absent lining he now declared he knew nothing), had been lost with the overturning of the boat, and so now he had put on the extra one he had with him, although he also had a cap which he might have worn. (He usually carried an extra hat on a trip because so often, it seemed, something happened to one.) Then he had ventured to walk south through the woods toward a railroad which he thought cut through the

woods in that direction. He had not known of any automobile road through there then, and as for making for the Cranstons' so directly, he confessed quite simply that he would naturally have gone there. They were his friends and he wanted to get off somewhere where he could think about this terrible thing that had descended upon him so suddenly out of a clear sky.

And then having testified to so much—and no more appearing to occur either to Jephson or himself—the former after a pause now turned and said, most distinctly and yet somehow quietly:

"Now, Clyde, you have taken a solemn oath before this jury, this judge, all these people here, and above all your God, to tell the truth, the whole truth, and nothing but the truth. You realize what that means, don't you?"

"Yes, sir, I do."

"You swear before God that you did not strike Roberta Alden in that boat?"

"I swear. I did not."

"Or throw her into that lake?"

"I swear it. I did not."

"Or willfully or willingly in any way attempt to upset that boat or in any other fashion bring about the death that she suffered?"

"I swear it!" cried Clyde, emphatically and emotionally.

"You swear that it was an accident—unpremeditated and undesigned by you?"

"I do," lied Clyde, who felt that in fighting for his life he was telling a part of the truth, for that accident was unpremeditated and undesigned. It had not been as he had planned and he could swear to that.

And then Jephson, running one of his large strong hands over his face and looking blandly and nonchalantly around upon the court and jury, the while he compressed his thin lips into a long and meaningful line, announced: "The prosecution may take the witness."

CHAPTER XXV

THE mood of Mason throughout the entire direct examination was that of a restless harrier anxious to be off at the heels of its prey—of a foxhound within the last leap of its kill. A keen and surging desire to shatter this testimony, to show it to be from start to finish the tissue of lies that in part at least it was, now animated him. And no sooner had Jephson concluded than he leaped up and confronted Clyde, who, seeing him blazing with this desire to undo him, felt as though he was about to be physically attacked.

"Griffiths, you had that camera in your hand at the time she came toward you in the boat?"

"Yes, sir."

"She stumbled and fell and you accidentally struck her with it?"

"Yes."

"I don't suppose in your truthful and honest way you remember telling me there in the woods on the shore of Big Bittern that you never had a camera?"

"Yes, sir—I remember that."

"And that was a lie, of course?"

"Yes, sir."

"And told with all the fervor and force that you are now telling this other lie?"

"I'm not lying. I've explained why I said that."

"You've explained why you said that! You've explained why you said that! And because you lied there you expect to be believed here, do you?"

Belknap rose to object, but Jephson pulled him down.

"Well, this is the truth, just the same."

"And no power under heaven could make you tell another lie here, of course—not a strong desire to save yourself from the electric chair?"

Clyde blanched and quivered slightly; he blinked his red, tired eyelids. "Well, I might, maybe, but not under oath, I don't think."

"You don't think! Oh, I see. Lie all you want wherever

you are—and at any time—and under any circumstances—except when you're on trial for murder!"

"No, sir. It isn't that. But what I just said is so."

"And you swear on the Bible, do you, that you experienced a change of heart?"

"Yes, sir."

"That Miss Alden was very sad and that was what moved you to experience this change of heart?"

"Yes, sir. That's how it was."

"Well, now, Griffiths, when she was up there in the country and waiting for you—she wrote you all those letters there, did she not?"

"Yes, sir."

"You received one on an average of every two days, didn't you?"

"Yes, sir."

"And you knew she was lonely and miserable there, didn't you?"

"Yes, sir—but then I've explained——"

"Oh, you've explained! You mean your lawyers have explained it for you! Didn't they coach you day after day in that jail over there as to how you were to answer when the time came?"

"No, sir, they didn't!" replied Clyde, defiantly, catching Jephson's eye at this moment.

"Well, then when I asked you up there at Bear Lake how it was that this girl met her death—why didn't you tell me then and save all this trouble and suspicion and investigation? Don't you think the public would have listened more kindly and believingly there than it will now after you've taken five long months to think it all out with the help of two lawyers?"

"But I didn't think it out with any lawyers," persisted Clyde, still looking at Jephson, who was supporting him with all his mental strength. "I've just explained why I did that."

"You've explained! You've explained!" roared Mason, almost beside himself with the knowledge that this false explanation was sufficient of a shield or barrier for Clyde to hide behind whenever he found himself being too hard pressed—the little rat! And so now he fairly quivered with baffled rage as he proceeded.

"And before you went up—while she was writing them to you—you considered them sad, didn't you?"

"Why, yes, sir. That is"—he hesitated incautiously—"some parts of them anyhow."

"Oh, I see—only some parts of them now. I thought you just said you considered them sad."

"Well, I do."

"And did."

"Yes, sir—and did." But Clyde's eyes were beginning to wander nervously in the direction of Jephson, who was fixing him as with a beam of light.

"Remember her writing you this?" And here Mason picked up and opened one of the letters and began reading: "Clyde—I shall certainly die, dear, if you don't come. I am so much alone. I am nearly crazy now. I wish I could go away and never return or trouble you any more. But if you would only telephone me, even so much as once every other day, since you won't write. And when I need you and a word of encouragement so." Mason's voice was mellow. It was sad. One could feel, as he spoke, the wave of passing pity that was moving as sound and color not only through him but through every spectator in the high, narrow courtroom. "Does that seem at all sad to you?"

"Yes, sir, it does."

"Did it then?"

"Yes, sir, it did."

"You knew it was sincere, didn't you?" snarled Mason.

"Yes, sir. I did."

"Then why didn't a little of that pity that you claim moved you so deeply out there in the center of Big Bittern move you down there in Lycurgus to pick up the telephone there in Mrs. Peyton's house where you were and reassure that lonely girl by so much as a word that you were coming? Was it because your pity for her then wasn't as great as it was after she wrote you that threatening letter? Or was it because you had a plot and you were afraid that too much telephoning to her might attract attention? How was it that you had so much pity all of a sudden up at Big Bittern, but none at all down there at Lycurgus? Is it something you can turn on and off like a faucet?"

"I never said I had none at all," replied Clyde, defiantly, having just received an eye-flash from Jephson.

"Well, you left her to wait until she had to threaten you because of her own terror and misery."

"Well, I've admitted that I didn't treat her right."

"Ha, ha! Right! *Right!* And because of that admission, and in face of all the other testimony we've had here, your own included, you expect to walk out of here a free man, do you?"

Belknap was not to be restrained any longer. His objection

came—and with bitter vehemence he addressed the Judge: "This is infamous, your Honor. Is the district attorney to be allowed to make a speech with every question?"

"I heard no objection," countered the court. "The district attorney will frame his questions properly."

Mason took the rebuke lightly and turned again to Clyde. "In that boat there in the center of Big Bittern you have testified that you had in your hand that camera that you once denied owning?"

"Yes, sir."

"And she was in the stern of the boat?"

"Yes, sir."

"Bring in that boat, will you, Burton?" he called to Burleigh at this point, and forthwith four deputies from the district attorney's office retired through a west door behind the judge's rostrum and soon returned carrying the identical boat in which Clyde and Roberta had sat, and put it down before the jury. And as they did so Clyde chilled and stared. The identical boat! He blinked and quivered as the audience stirred, stared and strained, an audible wave of curiosity and interest passing over the entire room. And then Mason, taking the camera and shaking it up and down, exclaimed: "Well, here you are now, Griffiths! The camera you never owned. Step down here into this boat and take this camera here and show the jury just where you sat, and where Miss Alden sat. And exactly, if you can, how and where it was that you struck Miss Alden and where and about how she fell."

"Object!" declared Belknap.

A long and wearisome legal argument, finally terminating in the judge allowing this type of testimony to be continued for a while at least. And at the conclusion of it, Clyde declaring: "I didn't intentionally strike her with it though"—to which Mason replied: "Yes, we heard you testify that way"—then Clyde stepping down and after being directed here and there finally stepping into the boat at the middle seat and seating himself while three men held it straight.

"And now, Newcomb—I want you to come here and sit wherever Miss Alden was supposed to sit and take any position which he describes as having been taken by her."

"Yes, sir," said Newcomb, coming forward and seating himself while Clyde vainly sought to catch Jephson's eye but could not since his own back was partially turned from him.

"And now, Griffiths," went on Mason, "just you show Mr.

Newcomb here how Miss Alden arose and came toward you. Direct him."

And then Clyde, feeling weak and false and hated, arising again and in a nervous and angular way—the eerie strangeness of all this affecting him to the point of unbelievable awkwardness—attempting to show Newcomb just how Roberta had gotten up and half walked and half crawled, then had stumbled and fallen. And after that, with the camera in his hand, attempting to show as nearly as he could recall, how unconsciously his arm had shot out and he had struck Roberta, he scarcely knowing where—on the chin and cheek maybe, he was not sure, but not intentionally, of course, and not with sufficient force really to injure her, he thought at the time. But just here a long wrangle between Belknap and Mason as to the competency of such testimony since Clyde declared that he could not remember clearly—but Oberwaltzer finally allowing the testimony on the ground that it would show, relatively, whether a light or heavy push or blow was required in order to upset any one who might be "lightly" or "loosely" poised.

"But how in Heaven's name are these antics as here demonstrated on a man of Mr. Newcomb's build to show what would follow in the case of a girl of the size and weight of Miss Alden?" persisted Belknap.

"Well, then we'll put a girl of the size and weight of Miss Alden in here." And at once calling for Zillah Sanders and putting her in Newcomb's place. But Belknap none-the-less proceeding with:

"And what of that? The conditions aren't the same. This boat isn't on the water. No two people are going to be alike in their resistance or their physical responses to accidental blows."

"Then you refuse to allow this demonstration to be made?" (This was from Mason, turning and cynically inquiring.)

"Oh, make it if you choose. It doesn't mean anything though, as anybody can see," persisted Belknap, suggestively.

And so Clyde, under directions from Mason, now pushing at Zillah, "about as hard," (he thought) as he had accidentally pushed at Roberta. And she falling back a little—not much—but in so doing being able to lay a hand on each side of the boat and so save herself. And the jury, in spite of Belknap's thought that his contentions would have counteracted all this, gathering the impression that Clyde, on account of his guilt and fear of death, was probably attempting to conjure something that had been much more viciously executed, to be sure. For had not the doctors sworn to the probable force of this and another

blow on the top of the head? And had not Burton Burleigh testified to having discovered a hair in the camera? And how about the cry that woman had heard? How about that?

But with that particular incident the court was adjourned for this day.

On the following morning at the sound of the gavel, there was Mason, as fresh and vigorous and vicious as ever. And Clyde, after a miserable night in his cell and much bolstering by Jephson and Belknap, determined to be as cool and insistent and innocent-appearing as he could be, but with no real heart for the job, so convinced was he that local sentiment in its entirety was against him—that he was believed to be guilty. And with Mason beginning most savagely and bitterly:

"You still insist that you experienced a change of heart, do you, Griffiths?"

"Yes, sir, I do."

"Ever hear of people being resuscitated after they have apparently drowned?"

"I don't quite understand."

"You know, of course, that people who are supposed to be drowned, who go down for the last time and don't come up, are occasionally gotten out of the water and revived, brought back to life by first-aid methods—working their arms and rolling them over a log or a barrel. You've heard of that, haven't you?"

"Yes, sir, I think I have. I've heard of people being brought back to life after they're supposed to be drowned, but I don't think I ever heard just how."

"You never did?"

"No, sir."

"Or how long they could stay under water and still be revived?"

"No, sir. I never did."

"Never heard, for instance, that a person who had been in the water as long as fifteen minutes might still be brought to?"

"No, sir."

"So it never occurred to you after you swam to shore yourself that you might still call for aid and so save her life even then?"

"No, sir, it didn't occur to me. I thought she was dead by then."

"I see. But when she was still alive out there in the water—how about that? You're a pretty good swimmer, aren't you?"

"Yes, sir, I swim fairly well."

"Well enough, for instance, to save yourself by swimming

over five hundred feet with your shoes and clothes on. Isn't that so?"

"Well, I did swim that distance then—yes, sir."

"Yes, you did indeed—and pretty good for a fellow who couldn't swim thirty-five feet to an overturned boat, I'll say," concluded Mason.

Here Jephson waved aside Belknap's suggestion that he move to have this comment stricken out.

Clyde was now dragged over his various boating and swimming experiences and made to tell how many times he had gone out on lakes in craft as dangerous as canoes and had never had an accident.

"The first time you took Roberta out on Crum Lake was in a canoe, wasn't it?"

"Yes, sir."

"But you had no accident then?"

"No, sir."

"You cared for her then very much, didn't you?"

"Yes, sir."

"But the day she was drowned in Big Bittern, in this solid, round-bottomed row boat, you didn't care for her any more."

"Well, I've said how I felt then."

"And of course there couldn't be any relation between the fact that on Crum Lake you cared for her but on Big Bittern——"

"I said how I felt then."

"But you wanted to get rid of her just the same, didn't you? The moment she was dead to run away to that other girl. You don't deny that, do you?"

"I've explained why I did that," reiterated Clyde.

"Explained! Explained! And you expect any fair-minded, decent, intelligent person to believe that explanation, do you?" Mason was fairly beside himself with rage and Clyde did not venture to comment as to that. The Judge anticipated Jephson's objection to this and bellowed, "Objection sustained." But Mason went right on. "You couldn't have been just a little careless, could you, Griffiths, in the handling of the boat and upset it yourself, say?" He drew near and leered.

"No, sir, I wasn't careless. It was an accident that I couldn't avoid." Clyde was quite cool, though pale and tired.

"An accident. Like that other accident out there in Kansas City, for instance. You're rather familiar with accidents of that kind, aren't you, Griffiths?" queried Mason sneeringly and slowly.

"I've explained how that happened," replied Clyde nervously.

"You're rather familiar with accidents that result in death to girls, aren't you? Do you always run away when one of them dies?"

"Object," yelled Belknap, leaping to his feet.

"Objection sustained," called Oberwaltzer sharply. "There is nothing before this court concerning any other accident. The prosecution will confine itself more closely to the case in hand."

"Griffiths," went on Mason, pleased with the way he had made a return to Jephson for his apology for the Kansas City accident, "when that boat upset after that accidental blow of yours and you and Miss Alden fell into the water—how far apart were you?"

"Well, I didn't notice just then."

"Pretty close, weren't you? Not much more than a foot or two, surely—the way you stood there in the boat?"

"Well, I didn't notice. Maybe that, yes, sir."

"Close enough to have grabbed her and hung on to her if you had wanted to, weren't you? That's what you jumped up for, wasn't it, when she started to fall out?"

"Yes, that's what I jumped up for," replied Clyde heavily, "but I wasn't close enough to grab her. I know I went right under, and when I came up she was some little distance away."

"Well, how far exactly? As far as from here to this end of the jury box or that end, or half way, or what?"

"Well, I say I didn't notice, quite. About as far from here to that end, I guess," he lied, stretching the distance by at least eight feet.

"Not really!" exclaimed Mason, pretending to evince astonishment. "This boat here turns over, you both fall in the water close together, and when you come up you and she are nearly twenty feet apart. Don't you think your memory is getting a little the best of you there?"

"Well, that's the way it looked to me when I came up."

"Well, now, after that boat turned over and you both came up, where were you in relation to *it?* Here is the boat now and where were you out there in the audience, as to distance, I mean?"

"Well, as I say, I didn't exactly notice when I first came up," returned Clyde, looking nervously and dubiously at the space before him. Most certainly a trap was being prepared for him. "About as far as from here to that railing beyond your table, I guess."

"About thirty to thirty-five feet then," suggested Mason, slyly and hopefully.

"Yes, sir. About that maybe. I couldn't be quite sure."

"And now with you over there and the boat here, where was Miss Alden at that time?"

And Clyde now sensed that Mason must have some geometric or mathematic scheme in mind whereby he proposed to establish his guilt. And at once he was on his guard, and looking in the direction of Jephson. At the same time he could not see how he was to put Roberta too far away either. He had said she couldn't swim. Wouldn't she be nearer the boat than he was? Most certainly. He leaped foolishly—wildly—at the thought that it might be best to say that she was about half that distance—not more, very likely. And said so. And at once Mason proceeded with:

"Well, then she was not more than fifteen feet or so from you or the boat."

"No, sir, maybe not. I guess not."

"Well then, do you mean to say that you couldn't have swum that little distance and buoyed her up until you could reach the boat just fifteen feet beyond her?"

"Well, as I say, I was a little dazed when I came up and she was striking about and screaming so."

"But there was that boat—not more than thirty-five feet away, according to your own story—and a mighty long way for a boat to move in that time, I'll say. And do you mean to say that when you could swim five hundred feet to shore afterwards that you couldn't have swum to that boat and pushed it to her in time for her to save herself? She was struggling to keep herself up, wasn't she?"

"Yes, sir. But I was rattled at first," pleaded Clyde, gloomily, conscious of the eyes of all the jurors and all the spectators fixed upon his face, "and . . . and . . ." (because of the general strain of the suspicion and incredulity now focused as a great force upon him, his nerve was all but failing him, and he was hesitating and stumbling) . . . "I didn't think quite quick enough I guess, what to do. Besides I was afraid if I went near her . . ."

"I know. A mental and moral coward," sneered Mason. "Besides very slow to think when it's to your advantage to be slow and swift when it's to your advantage to be swift. Is that it?"

"No, sir."

"Well, then, if it isn't, just tell me this, Griffiths, why was it, after you got out of the water a few moments later you had sufficient presence of mind to stop and bury that tripod before starting through the woods, whereas, when it came to rescuing her you got rattled and couldn't do a thing? How was it that

you could get so calm and calculating the moment you set your foot on land? What can you say to that?"

"Well . . . a . . . I told you that afterwards I realized that there was nothing else to do."

"Yes, we know all about that. But doesn't it occur to you that it takes a pretty cool head after so much panic in the water to stop at a moment like that and take such a precaution as that—burying that tripod? How was it that you could think so well of that and not think anything about the boat a few moments before?"

"Well . . . but . . ."

"You didn't want her to live, in spite of your alleged change of heart! Isn't that it?" yelled Mason. "Isn't that the black, sad truth? She was drowning, as you wanted her to drown, and you just let her drown! Isn't that so?"

He was fairly trembling as he shouted this, and Clyde, the actual boat before him and Roberta's eyes and cries as she sank coming back to him with all their pathetic and horrible force, now shrank and cowered in his seat—the closeness of Mason's interpretation of what had really happened terrifying him. For never, even to Jephson and Belknap, had he admitted that when Roberta was in the water he had not wished to save her. Changelessly and secretively he had insisted he had wanted to but that it had all happened so quickly, and he was so dazed and frightened by her cries and movements, that he had not been able to do anything before she was gone.

"I . . . I wanted to save her," he mumbled, his face quite gray, "but . . . but . . . as I said, I was dazed . . . and . . . and . . ."

"Don't you know that you're lying!" shouted Mason, leaning still closer, his stout arms aloft, his disfigured face glowering and scowling like some avenging nemesis or fury of gargoyle design—"that you deliberately and with cold-hearted cunning allowed that poor, tortured girl to die there when you might have rescued her as easily as you could have swum fifty of those five hundred feet you did swim in order to save yourself?" For by now he was convinced that he knew just how Clyde had actually slain Roberta, something in his manner and mood convincing him, and he was determined to drag it out of him if he could. And although Belknap was instantly on his feet with a protest that his client was being unfairly prejudiced in the eyes of the jury and that he was really entitled to—and now demanded—a mistrial—which complaint Justice Oberwaltzer eventually overruled—still Clyde had time

to reply, but most meekly and feebly: "No! No! I didn't. I wanted to save her if I could." Yet his whole manner, as each and every juror noted, was that of one who was not really telling the truth, who was really all of the mental and moral coward that Belknap had insisted he was—but worse yet, really guilty of Roberta's death. For after all, asked each juror of himself as he listened, why couldn't he have saved her if he was strong enough to swim to shore afterwards—or at least have swum to and secured the boat and helped her to take hold of it?

"She only weighed a hundred pounds, didn't she?" went on Mason feverishly.

"Yes, I think so."

"And you—what did you weigh at the time?"

"About a hundred and forty," replied Clyde.

"And a hundred and forty pound man," sneered Mason, turning to the jury, "is afraid to go near a weak, sick, hundred-pound little girl who is drowning, for fear she will cling to him and drag him under! And a perfectly good boat, strong enough to hold three or four up, within fifteen or twenty feet! How's that?"

And to emphasize it and let it sink in, he now paused, and took from his pocket a large white handkerchief, and after wiping his neck and face and wrists—since they were quite damp from his emotional and physical efforts—turned to Burton Burleigh and called: "You might as well have this boat taken out of here, Burton. We're not going to need it for a little while anyhow." And forthwith the four deputies carried it out.

And then, having recovered his poise, he once more turned to Clyde and began with: "Griffiths, you knew the color and feel of Roberta Alden's hair pretty well, didn't you? You were intimate enough with her, weren't you?"

"I know the color of it or I think I do," replied Clyde wincing—an anguished chill at the thought of it affecting him almost observably.

"And the feel of it, too, didn't you?" persisted Mason. "In those very loving days of yours before Miss X came along—you must have touched it often enough."

"I don't know whether I did or not," replied Clyde, catching a glance from Jephson.

"Well, roughly. You must know whether it was coarse or fine—silky or coarse. You know that, don't you?"

"It was silky, yes."

"Well, here's a lock of it," he now added more to torture Clyde than anything else—to wear him down nervously—and

going to his table where was an envelope and from it extracting a long lock of light brown hair. "Don't that look like her hair?" And now he shoved it forward at Clyde who shocked and troubled withdrew from it as from some unclean or dangerous thing —yet a moment after sought to recover himself—the watchful eyes of the jury having noted all. "Oh, don't be afraid," persisted Mason, sardonically. "It's only your dead love's hair."

And shocked by the comment—and noting the curious eyes of the jury, Clyde took it in his hand. "That looks and feels like her hair, doesn't it?" went on Mason.

"Well, it looks like it anyhow," returned Clyde shakily.

"And now here," continued Mason, stepping quickly to the table and returning with the camera in which between the lid and the taking mechanism were caught the two threads of Roberta's hair put there by Burleigh, and then holding it out to him. "Just take this camera. It's yours even though you did swear that it wasn't—and look at those two hairs there. See them?" And he poked the camera at Clyde as though he might strike him with it. "They were caught in there—presumably—at the time you struck her so lightly that it made all those wounds on her face. Can't you tell the jury whether those hairs are hers or not?"

"I can't say," replied Clyde most weakly.

"What's that? Speak up. Don't be so much of a moral and mental coward. Are they or are they not?"

"I can't say," repeated Clyde—but not even looking at them.

"Look at them. Look at them. Compare them with these others. We know these are hers. And you know that these in this camera are, don't you? Don't be so squeamish. You've often touched her hair in real life. She's dead. They won't bite you. Are these two hairs—or are they not—the same as these other hairs here—which we know are hers—the same color—same feel—all? Look! Answer! Are they or are they not?"

But Clyde, under such pressure and in spite of Belknap, being compelled to look and then feel them too. Yet cautiously replying, "I wouldn't be able to say. They look and feel a little alike, but I can't tell."

"Oh, can't you? And even when you know that when you struck her that brutal vicious blow with that camera—these two hairs caught there and held."

"But I didn't strike her any vicious blow," insisted Clyde, now observing Jephson—"and I can't say." He was saying to himself that he would not allow himself to be bullied in this way by

this man—yet, at the same time, feeling very weak and sick. And Mason, triumphant because of the psychologic effect, if nothing more, returning the camera and lock to the table and remarking, "Well, it's been amply testified to that those two hairs were in that camera when found in the water. And you yourself swear that it was last in your hand before it reached the water."

He turned to think of something else—some new point with which to rack Clyde and now began once more:

"Griffiths, in regard to that trip south through the woods, what time was it when you got to Three Mile Bay?"

"About four in the morning, I think—just before dawn."

"And what did you do between then and the time that boat down there left?"

"Oh, I walked around."

"In Three Mile Bay?"

"No, sir—just outside of it."

"In the woods, I suppose, waiting for the town to wake up so you wouldn't look so much out of place. Was that it?"

"Well, I waited until after the sun came up. Besides I was tired and I sat down and rested for a while."

"Did you sleep well and did you have pleasant dreams?"

"I was tired and I slept a little—yes."

"And how was it you knew so much about the boat and the time and all about Three Mile Bay? Hadn't you familiarized yourself with this data beforehand?"

"Well, everybody knows about the boat from Sharon to Three Mile Bay around there."

"Oh, do they? Any other reason?"

"Well, in looking for a place to get married, both of us saw it," returned Clyde, shrewdly, "but we didn't see that any train went to it. Only to Sharon."

"But you did notice that it was south of Big Bittern?"

"Why, yes—I guess I did," replied Clyde.

"And that that road west of Gun Lodge led south toward it around the lower edge of Big Bittern?"

"Well, I noticed after I got up there that there was a road of some kind or a trail anyhow—but I didn't think of it as a regular road."

"I see. How was it then that when you met those three men in the woods you were able to ask them how far it was to Three Mile Bay?"

"I didn't ask 'em that," replied Clyde, as he had been in-

structed by Jephson to say. "I asked 'em if they knew any road to Three Mile Bay, and how far it was. I didn't know whether that was the road or not."

"Well, that wasn't how they testified here."

"Well, I don't care what they testified to, that's what I asked 'em just the same."

"It seems to me that according to you all the witnesses are liars and you are the only truthful one in the bunch. . . . Isn't that it? But, when you reached Three Mile Bay, did you stop to eat? You must have been hungry, weren't you?"

"No, I wasn't hungry," replied Clyde, simply.

"You wanted to get away from that place as quickly as possible, wasn't that it? You were afraid that those three men might go up to Big Bittern and having heard about Miss Alden tell about having seen you—wasn't that it?"

"No, that wasn't it. But I didn't want to stay around there. I've said why."

"I see. But after you got down to Sharon where you felt a little more safe—a little further away, you didn't lose any time in eating, did you? It tasted pretty good all right down there, didn't it?"

"Oh, I don't know about that. I had a cup of coffee and a sandwich."

"And a piece of pie, too, as we've already proved here," added Mason. "And after that you joined the crowd coming up from the depot as though you had just come up from Albany, as you afterwards told everybody. Wasn't that it?"

"Yes, that was it."

"Well, now for a really innocent man who only so recently experienced a kindly change of heart, don't you think you were taking an awful lot of precaution? Hiding away like that and waiting in the dark and pretending that you had just come up from Albany."

"I've explained all that," persisted Clyde.

Mason's next tack was to hold Clyde up to shame for having been willing, in the face of all she had done for him, to register Roberta in three different hotel registers as the unhallowed consort of presumably three different men in three different days.

"Why didn't you take separate rooms?"

"Well, she didn't want it that way. She wanted to be with me. Besides I didn't have any too much money."

"Even so, how could you have so little respect for her there and then be so deeply concerned about her reputation after she was dead that you had to run away and keep the secret of her

death all to yourself, in order, as you say, to protect her name and reputation?"

"Your Honor," interjected Belknap, "this isn't a question. It's an oration."

"I withdraw the question," countered Mason, and then went on. "Do you admit, by the way, that you are a mental and moral coward, Griffiths—do you?"

"No, sir. I don't."

"You do not?"

"No, sir."

"Then when you lie, and swear to it, you are just the same as any other person who is not a mental and moral coward, and deserving of all the contempt and punishment due a person who is a perjurer and a false witness. Is that correct?"

"Yes, sir. I suppose so."

"Well, if you are not a mental and moral coward, how can you justify your leaving that girl in that lake—after as you say you accidentally struck her and when you knew how her parents would soon be suffering because of her loss—and not say one word to anybody—just walk off—and hide the tripod and your suit and sneak away like an ordinary murderer? Wouldn't you think that that was the conduct of a man who had plotted and executed murder and was trying to get away with it—if you had heard of it about some one else? Or would you think it was just the sly, crooked trick of a man who was only a mental and moral coward and who was trying to get away from the blame for the accidental death of a girl whom he had seduced and news of which might interfere with his prosperity? Which?"

"Well, I didn't kill her, just the same," insisted Clyde.

"Answer the question!" thundered Mason.

"I ask the court to instruct the witness that he need not answer such a question," put in Jephson, rising and fixing first Clyde and then Oberwaltzer with his eye. "It is purely an argumentative one and has no real bearing on the facts in this case."

"I so instruct," replied Oberwaltzer. "The witness need not answer." Whereupon Clyde merely stared, greatly heartened by this unexpected aid.

"Well, to go on," proceeded Mason, now more nettled and annoyed than ever by this watchful effort on the part of Belknap and Jephson to break the force and significance of his each and every attack, and all the more determined not to be outdone—"you say you didn't intend to marry her if you could help it, before you went up there?"

"Yes, sir."

"That she wanted you to but you hadn't made up your mind?"

"Yes."

"Well, do you recall the cook-book and the salt and pepper shakers and the spoons and knives and so on that she put in her bag?"

"Yes, sir. I do."

"What do you suppose she had in mind when she left Biltz—with those things in her trunk—that she was going out to live in some hall bedroom somewhere, unmarried, while you came to see her once a week or once a month?"

Before Belknap could object, Clyde shot back the proper answer.

"I can't say what she had in her mind about that."

"You couldn't possibly have told her over the telephone there at Biltz, for instance—after she wrote you that if you didn't come for her she was coming to Lycurgus—that you would marry her?"

"No, sir—I didn't."

"You weren't mental and moral coward enough to be bullied into anything like that, were you?"

"I never said I was a mental and moral coward."

"But you weren't to be bullied by a girl you had seduced?"

"Well, I couldn't feel then that I ought to marry her."

"You didn't think she'd make as good a match as Miss X?"

"I didn't think I ought to marry her if I didn't love her any more."

"Not even to save her honor—and your own decency?"

"Well, I didn't think we could be happy together then."

"That was before your great change of heart, I suppose."

"It was before we went to Utica, yes."

"And while you were still so enraptured with Miss X?"

"I was in love with Miss X—yes."

"Do you recall, in one of those letters to you that you never answered" (and here Mason proceeded to take up and read from one of the first seven letters), "her writing this to you; 'I feel upset and uncertain about everything although I try not to feel so—now that we have our plan and you are going to come for me as you said.' Now just what was she referring to there when she wrote—'now that we have our plan'?"

"I don't know unless it was that I was coming to get her and take her away somewhere temporarily."

"Not to marry her, of course."

"No, I hadn't said so."

"But right after that in this same letter she says: 'On the way

up, instead of coming straight home, I decided to stop at Homer to see my sister and brother-in-law, since I am not sure now when I'll see them again, and I want so much that they shall see me respectable or never at all any more.' Now just what do you suppose she meant by that word 'respectable'? Living somewhere in secret and unmarried and having a child while you sent her a little money, and then coming back maybe and posing as single and innocent or married and her husband dead—or what? Don't you suppose she saw herself married to you, for a time at least, and the child given a name? That 'plan' she mentions couldn't have contemplated anything less than that, could it?"

"Well, maybe as she saw it it couldn't," evaded Clyde. "But I never said I would marry her."

"Well, well—we'll let that rest a minute," went on Mason doggedly. "But now take this," and here he began reading from the tenth letter: " 'It won't make any difference to you about your coming a few days sooner than you intended, will it, dear? Even if we have got to get along on a little less, I know we can, for the time I will be with you anyhow, probably no more than six or eight months at the most. I agreed to let you go by then, you know, if you want to. I can be very saving and economical. It can't be any other way now, Clyde, although for your own sake I wish it could.' What do you suppose all that means—'saving and economical'—and not letting you go until after eight months? Living in a hall bedroom and you coming to see her once a week? Or hadn't you really agreed to go away with her and marry her, as she seems to think here?"

"I don't know unless she thought she could make me, maybe," replied Clyde, the while various backwoodsmen and farmers and jurors actually sniffed and sneered, so infuriated were they by the phrase "make me" which Clyde had scarcely noticed. "I never agreed to."

"Unless she could make you. So that was the way you felt about it, was it, Griffiths?"

"Yes, sir."

"You'd swear to that as quick as you would to anything else?"

"Well, I have sworn to it."

And Mason as well as Belknap and Jephson and Clyde himself now felt the strong public contempt and rage that the majority of those present had for him from the start—now surging and shaking all. It filled the room. Yet before him were all the hours Mason needed in which he could pick and choose at random from the mass of testimony as to just what he would

quiz and bedevil and torture Clyde with next. And so now, looking over his notes—arranged fan-wise on the table by Earl Newcomb for his convenience—he now began once more with:

"Griffiths, in your testimony here yesterday, through which you were being led by your counsel, Mr. Jephson" (at this Jephson bowed sardonically). "You talked about that change of heart that you experienced after you encountered Roberta Alden once more at Fonda and Utica back there in July—just as you were starting on this death trip."

Clyde's "yes, sir," came before Belknap could object, but the latter managed to have "death trip" changed to "trip."

"Before going up there with her you hadn't been liking her as much as you might have. Wasn't that the way of it?"

"Not as much as I had at one time—no, sir."

"And just how long—from when to when—was the time in which you really did like her, before you began to dislike her, I mean?"

"Well, from the time I first met her until I met Miss X."

"But not afterwards?"

"Oh, I can't say not entirely afterwards. I cared for her some—a good deal, I guess—but still not as much as I had. I felt more sorry for her than anything else, I suppose."

"And now, let's see—that was between December first last, say, and last April or May—or wasn't it?"

"About that time, I think—yes, sir."

"Well, during that time—December first to April or May first, you were intimate with her, weren't you?"

"Yes, sir."

"Even though you weren't caring for her so much."

"Why—yes, sir," replied Clyde, hesitating slightly, while the rurals jerked and craned at this introduction of the sex crime.

"And yet at nights, and in spite of the fact that she was alone over there in her little room—as faithful to you, as you yourself have testified, as any one could be—you went off to dances, parties, dinners, and automobile rides, while she sat there."

"Oh, but I wasn't off all the time."

"Oh, weren't you? But you heard the testimony of Tracy and Jill Trumbull, and Frederick Sells, and Frank Harriet, and Burchard Taylor, on this particular point, didn't you?"

"Yes, sir."

"Well, were they all liars, or were they telling the truth?"

"Well, they were telling the truth as near as they could remember, I suppose."

"But they couldn't remember very well—is that it?"

"Well, I wasn't off all the time. Maybe I was gone two or three times a week—maybe four sometimes—not more."

"And the rest you gave to Miss Alden?"

"Yes, sir."

"Is that what she meant in this letter here?" And here he took up another letter from the pile of Roberta's letters, and opening it and holding it before him, read: " 'Night after night, almost every night after that dreadful Christmas day when you left me, I was alone nearly always.' Is she lying, or isn't she?" snapped Mason fiercely, and Clyde, sensing the danger of accusing Roberta of lying here, weakly and shamefacedly replied: "No, she isn't lying. But I did spend some evenings with her just the same."

"And yet you heard Mrs. Gilpin and her husband testify here that night after night from December first on Miss Alden was mostly always alone in her room and that they felt sorry for her and thought it so unnatural and tried to get her to join them, but she wouldn't. You heard them testify to that, didn't you?"

"Yes, sir."

"And yet you insist that you were with her some?"

"Yes, sir."

"Yet at the same time loving and seeking the company of Miss X?"

"Yes, sir."

"And trying to get her to marry you?"

"I wanted her to—yes, sir."

"Yet continuing relations with Miss Alden when your other interests left you any time."

"Well . . . yes, sir," once more hesitated Clyde, enormously troubled by the shabby picture of his character which these disclosures seemed to conjure, yet somehow feeling that he was not as bad, or at least had not intended to be, as all this made him appear. Other people did things like that too, didn't they—those young men in Lycurgus society—or they had talked as though they did.

"Well, don't you think your learned counsel found a very mild term for you when they described you as a mental and moral coward?" sneered Mason—and at the same time from the rear of the long narrow courtroom, a profound silence seeming to precede, accompany and follow it,—yet not without an immediate roar of protest from Belknap, came the solemn, vengeful voice of an irate woodsman: "Why don't they kill the God-damned bastard and be done with him?"—And at once Oberwaltzer gaveling for order and ordering the arrest of the offender at

the same time that he ordered all those not seated driven from the courtroom—which was done. And then the offender arrested and ordered arraigned on the following morning. And after that, silence, with Mason once more resuming:

"Griffiths, you say when you left Lycurgus you had no intention of marrying Roberta Alden unless you could not arrange in any other way."

"Yes, sir. That was my intention at that time."

"And accordingly you were fairly certain of coming back?"

"Yes, sir—I thought I was."

"Then why did you pack everything in your room in your trunk and lock it?"

"Well . . . well . . . that is," hesitated Clyde, the charge coming so quickly and so entirely apart from what had just been spoken of before that he had scarcely time to collect his wits—"well, you see—I wasn't absolutely sure. I didn't know but what I might have to go whether I wanted to or not."

"I see. And so if you had decided up there unexpectedly—as you did—"(and here Mason smirked on him as much as to say—you think any one believes that?) "you wouldn't have had time to come back and decently pack your things and depart?"

"Well, no, sir—that wasn't the reason either."

"Well then, what was the reason?"

"Well, you see," and here for lack of previous thought on this subject as well as lack of wit to grasp the essentiality of a suitable and plausible answer quickly, Clyde hesitated—as every one—first and foremost Belknap and Jephson—noted—and then went on: "Well, you see—if I had to go away, even for a short time as I thought I might, I decided that I might need whatever I had in a hurry."

"I see. You're quite sure it wasn't that in case the police discovered who Clifford Golden or Carl Graham were, that you might wish to leave quickly?"

"No, sir. It wasn't."

"And so you didn't tell Mrs. Peyton you were giving up the room either, did you?"

"No, sir."

"In your testimony the other day you said something about not having money enough to go up there and take Miss Alden away on any temporary marriage scheme—even one that would last so long as six months."

"Yes, sir."

"When you left Lycurgus to start on the trip, how much did you have?"

"About fifty dollars."

"'About' fifty? Don't you know exactly how much you had?"

"I had fifty dollars—yes, sir."

"And while you were in Utica and Grass Lake and getting down to Sharon afterwards, how much did you spend?"

"I spent about twenty dollars on the trip, I think."

"Don't you know?"

"Not exactly—no, sir—somewhere around twenty dollars, though."

"Well, now let's see about that exactly if we can," went on Mason, and here, once more, Clyde began to sense a trap and grew nervous—for there was all that money given him by Sondra and some of which he had spent, too. "How much was your fare from Fonda to Utica for yourself?"

"A dollar and a quarter."

"And what did you have to pay for your room at the hotel at Utica for you and Roberta?"

"That was four dollars."

"And of course you had dinner that night and breakfast the next morning, which cost you how much?"

"It was about three dollars for both meals."

"Was that all you spent in Utica?" Mason was taking a side glance occasionally at a slip of paper on which he had figures and notes, but which Clyde had not noticed.

"Yes, sir."

"How about the straw hat that it has been proved you purchased while there?"

"Oh, yes, sir, I forgot about that," said Clyde, nervously. "That was two dollars—yes, sir." He realized that he must be more careful.

"And your fares to Grass Lake were, of course, five dollars. Is that right?"

"Yes, sir."

"Then you hired a boat at Grass Lake. How much was that?"

"That was thirty-five cents an hour."

"And you had it how long?"

"Three hours."

"Making one dollar and five cents."

"Yes, sir."

"And then that night at the hotel, they charged you how much? Five dollars, wasn't it?"

"Yes, sir."

"And then didn't you buy that lunch that you carried out in that lake with you up there?"

"Yes, sir. I think that was about sixty cents."

"And how much did it cost you to get to Big Bittern?"

"It was a dollar on the train to Gun Lodge and a dollar on the bus for the two of us to Big Bittern."

"You know these figures pretty well, I see. Naturally, you would. You didn't have much money and it was important. And how much was your fare from Three Mile Bay to Sharon afterwards?"

"My fare was seventy-five cents."

"Did you ever stop to figure this all up exactly?"

"No, sir."

"Well, will you?"

"Well, you know how much it is, don't you?"

"Yes, sir, I do. It is twenty-four dollars and sixty-five cents. You said you spent twenty dollars. But here is a discrepancy of four dollars and sixty-five cents. How do you account for it?"

"Well, I suppose I didn't figure just exactly right," said Clyde, irritated by the accuracy of figures such as these.

But now Mason slyly and softly inquiring: "Oh, yes, Griffiths, I forgot, how much was the boat you hired at Big Bittern?" He was eager to hear what Clyde would have to say as to this, seeing that he had worked hard and long on this pitfall.

"Oh—ah—ah—that is," began Clyde, hesitatingly, for at Big Bittern, as he now recalled, he had not even troubled to inquire the cost of the boat, feeling as he did at the time that neither he nor Roberta were coming back. But now here and in this way it was coming up for the first time. And Mason, realizing that he had caught him here, quickly interpolated a "Yes?" to which Clyde replied, but merely guessing at that: "Why, thirty-five cents an hour—just the same as at Grass Lake—so the boatman said."

But he had spoken too quickly. And he did not know that in reserve was the boatman who was still to testify that he had not stopped to ask the price of the boat. And Mason continued:

"Oh, it was, was it? The boatman told you that, did he?"

"Yes, sir."

"Well now, don't you recall that you never asked the boatman at all? It was not thirty-five cents an hour, but fifty cents. But of course you do not know that because you were in such a hurry to get out on the water and you did not expect to have to come back and pay for it anyway. So you never even asked, you see. Do you see? Do you recall that now?" And

here Mason produced a bill that he had gotten from the boatman and waved it in front of Clyde. "It was fifty cents an hour," he repeated. "They charge more than at Grass Lake. But what I want to know is, if you are so familiar with these other figures, as you have just shown that you are, how comes it that you are not familiar with this figure? Didn't you think of the expense of taking her out in a boat and keeping the boat from noon until night?" The attack came so swiftly and bitterly that at once Clyde was confused. He twisted and turned, swallowed and looked nervously at the floor, ashamed to look at Jephson who had somehow failed to coach him as to this.

"Well," bawled Mason, "any explanation to make as to that? Doesn't it strike even you as strange that you can remember every other item of all your expenditures—but not that item?" And now each juror was once more tense and leaning forward. And Clyde noting their interest and curiosity, and most likely suspicion, now returned:

"Well, I don't know just how I came to forget that."

"Oh, no, of course you don't" snorted Mason. "A man who is planning to kill a girl on a lone lake has a lot of things to think of, and it isn't any wonder if you forget a few of them. But you didn't forget to ask the purser the fare to Sharon, once you got to Three Mile Bay, did you?"

"I don't remember if I did or not."

"Well, he remembers. He testified to it here. You bothered to ask the price of the room at Grass Lake. You asked the price of the boat there. You even asked the price of the bus fare to Big Bittern. What a pity you couldn't think to ask the price of the boat at Big Bittern? You wouldn't be so nervous about it now, would you?" and here Mason looked at the jurors as much as to say: You see!

"I just didn't think of it, I guess," repeated Clyde.

"A very satisfactory explanation, I'm sure," went on Mason, sarcastically. And then as swiftly as possible: "I don't suppose you happen to recall an item of thirteen dollars and twenty cents paid for a lunch at the Casino on July ninth—the day after Roberta Alden's death—do you or do you not?" Mason was dramatic, persistent, swift—scarcely giving him time to think or breathe, as he saw it.

At this Clyde almost jumped, so startled was he by this question and charge, for he did not know that they had found out about the lunch. "And do you remember, too," went on Mason, "that over eighty dollars was found on you when you were arrested?"

"Yes, I remember it now," he replied.

As for the eighty dollars he had forgotten. Yet now he said nothing, for he could not think what to say.

"How about that?" went on Mason, doggedly and savagely. "If you only had fifty dollars when you left Lycurgus and over eighty dollars when you were arrested, and you spent twenty-four dollars and sixty-five cents plus thirteen for a lunch, where did you get that extra money from?"

"Well, I can't answer that just now," replied Clyde, sullenly, for he felt cornered and hurt. That was Sondra's money and nothing would drag out of him where he had gotten it.

"Why can't you answer it?" roared Mason. "Where do you think you are, anyhow? And what do you think we are here for? To say what you will or will not answer? You are on trial for your life—don't forget that! You can't play fast and loose with law, however much you may have lied to me. You are here before these twelve men and they are waiting to know. Now, what about it? Where did you get that money?"

"I borrowed it from a friend."

"Well, give his name. What friend?"

"I don't care to."

"Oh, you don't! Well, you're lying about the amount of money you had when you left Lycurgus—that's plain. And under oath, too. Don't forget that! That sacred oath that you respect so much. Isn't that true?"

"No, it isn't," finally observed Clyde, stung to reason by this charge. "I borrowed that money after I got to Twelfth Lake."

"And from whom?"

"Well, I can't say."

"Which makes the statement worthless," retorted Mason.

Clyde was beginning to show a disposition to balk. He had been sinking his voice and each time Mason commanded him to speak up and turn around so the jury could see his face, he had done so, only feeling more and more resentful toward this man who was thus trying to drag out of him every secret he possessed. He had touched on Sondra, and she was still too near his heart to reveal anything that would reflect on her. So now he sat staring down at the jurors somewhat defiantly, when Mason picked up some pictures.

"Remember these?" he now asked Clyde, showing him some of the dim and water-marked reproductions of Roberta besides some views of Clyde and some others—none of them containing the face of Sondra—which were made at the Cranstons' on his

first visit, as well as four others made at Bear Lake later, and with one of them showing him holding a banjo, his fingers in position. "Recall where these were made?" asked Mason, showing him the reproduction of Roberta first.

"Yes, I do."

"Where was it?"

"On the south shore of Big Bittern the day we were there." He knew that they were in the camera and had told Belknap and Jephson about them, yet now he was not a little surprised to think that they had been able to develop them.

"Griffiths," went on Mason, "your lawyers didn't tell you that they fished and fished for that camera you swore you didn't have with you before they found that I had it, did they?"

"They never said anything to me about it," replied Clyde.

"Well, that's too bad. I could have saved them a lot of trouble. Well, these were the photos that were found in that camera and that were made just after that change of heart you experienced, you remember?"

"I remember when they were made," replied Clyde, sullenly.

"Well, they were made before you two went out in that boat for the last time—before you finally told her whatever it was you wanted to tell her—before she was murdered out there—at a time when, as you have testified, she was very sad."

"No, that was the day before," defied Clyde.

"Oh, I see. Well, anyhow, these pictures look a little cheerful for one who was as depressed as you say she was."

"Well—but—she wasn't nearly as depressed then as she was the day before," flashed Clyde, for this was the truth and he remembered it.

"I see. But just the same, look at these other pictures. These three here, for instance. Where were they made?"

"At the Cranston Lodge on Twelfth Lake, I think."

"Right. And that was June eighteenth or nineteenth, wasn't it?"

"On the nineteenth, I think."

"Well, now, do you recall a letter Roberta wrote you on the nineteenth?"

"No, sir."

"You don't recall any particular one?"

"No, sir."

"But they were all very sad, you have said."

"Yes, sir—they were."

"Well, this is that letter written at the time these pictures were made." He turned to the jury.

"I would like the jury to look at these pictures and then listen to just one passage from this letter written by Miss Alden to this defendant on the same day. He has admitted that he was refusing to write or telephone her, although he was sorry for her," he said, turning to the jury. And here he opened a letter and read a long sad plea from Roberta. "And now here are four more pictures, Griffiths." And he handed Clyde the four made at Bear Lake. "Very cheerful, don't you think? Not much like pictures of a man who has just experienced a great change of heart after a most terrific period of doubt and worry and evil conduct—and has just seen the woman whom he had most cruelly wronged, but whom he now proposed to do right by, suddenly drowned. They look as though you hadn't a care in the world, don't they?"

"Well, they were just group pictures. I couldn't very well keep out of them."

"But this one in the water here. Didn't it trouble you the least bit to go in the water the second or third day after Roberta Alden had sunk to the bottom of Big Bittern, and especially when you had experienced such an inspiring change of heart in regard to her?"

"I didn't want any one to know I had been up there with her."

"We know all about that. But how about this banjo picture here. Look at this!" And he held it out. "Very gay, isn't it?" he snarled. And now Clyde, dubious and frightened, replied:

"But I wasn't enjoying myself just the same!"

"Not when you were playing the banjo here? Not when you were playing golf and tennis with your friends the very next day after her death? Not when you were buying and eating thirteen-dollar lunches? Not when you were with Miss X again, and where you yourself testified that you preferred to be?"

Mason's manner was snarling, punitive, sinister, bitterly sarcastic.

"Well, not just then, anyhow—no, sir."

"What do you mean—'not just then'? Weren't you where you wanted to be?"

"Well, in one way I was—certainly," replied Clyde, thinking of what Sondra would think when she read this, as unquestionably she would. Quite everything of all this was being published in the papers each day. He could not deny that he was with her and that he wanted to be with her. At the same time he had not been happy. How miserably unhappy he had been, enmeshed in that shameful and brutal plot! But now he must

explain in some way so that Sondra, when she should read it, and this jury, would understand. And so now he added, while he swallowed with his dry throat and licked his lips with his dry tongue: "But I was sorry about Miss Alden just the same. I couldn't be happy then—I couldn't be. I was just trying to make people think that I hadn't had anything to do with her going up there—that's all. I couldn't see that there was any better way to do. I didn't want to be arrested for what I hadn't done."

"Don't you know that is false! Don't you know you are lying!" shouted Mason, as though to the whole world, and the fire and the fury of his unbelief and contempt was sufficient to convince the jury, as well as the spectators, that Clyde was the most unmitigated of liars. "You heard the testimony of Rufus Martin, the second cook up there at Bear Lake?"

"Yes, sir."

"You heard him swear that he saw you and Miss X at a certain point overlooking Bear Lake and that she was in your arms and that you were kissing her. Was that true?"

"Yes, sir."

"And that exactly four days after you had left Roberta Alden under the waters of Big Bittern. Were you afraid of being arrested then?"

"Yes, sir."

"Even when you were kissing her and holding her in your arms?"

"Yes, sir," replied Clyde, drearily and hopelessly.

"Well, of all things!" bawled Mason. "Could you imagine such stuff being whimpered before a jury, if you hadn't heard it with your own ears? Do you really sit there and swear to this jury that you could bill and coo with one deceived girl in your arms and a second one in a lake a hundred miles away, and yet be miserable because of what you were doing?"

"Just the same, that's the way it was," replied Clyde.

"Excellent! Incomparable," shouted Mason.

And here he wearily and sighfully drew forth his large white handkerchief once more and surveying the courtroom at large proceeded to mop his face as much as to say: Well, this is a task indeed, then continuing with more force than ever:

"Griffiths, only yesterday on the witness stand you swore that you personally had no plan to go to Big Bittern when you left Lycurgus."

"No, sir, I hadn't."

"But when you two got in that room at the Renfrew House in Utica and you saw how tired she looked, it was you that sug-

gested that a vacation of some kind—a little one—something within the range of your joint purses at the time—would be good for her. Wasn't that the way of it?"

"Yes, sir. That was the way of it," replied Clyde.

"But up to that time you hadn't even thought of the Adirondacks specifically."

"Well, no, sir—no particular lake, that is. I did think we might go to some summer place maybe—they're mostly lakes around here—but not to any particular one that I knew of."

"I see. And after you suggested it, it was she that said that you had better get some folders or maps, wasn't it?"

"Yes, sir."

"And then it was that you went downstairs and got them?"

"Yes, sir."

"At the Renfrew House in Utica?"

"Yes, sir."

"Not anywhere else by any chance?"

"No, sir."

"And afterwards, in looking over those maps, you saw Grass Lake and Big Bittern and decided to go up that way. Was that the way of it?"

"Yes, we did," lied Clyde, most nervously, wishing now that he had not testified that it was in the Renfrew House that he had secured the folders. There might be some trap here again.

"You and Miss Alden?"

"Yes, sir."

"And you picked on Grass Lake as being the best because it was the cheapest. Wasn't that the way of it?"

"Yes, sir. That was the way."

"I see. And now do you remember these?" he added, reaching over and taking from his table a series of folders all properly identified as part and parcel of the contents of Clyde's bag at Bear Lake at the time he was arrested, and which he now placed in Clyde's hands. "Look them over. Are those the folders I found in your bag at Bear Lake?"

"Well, they look like the ones I had there."

"Are these the ones you found in the rack at the Renfrew House and took upstairs to show Miss Alden?"

Not a little terrified by the care with which this matter of folders was now being gone into by Mason, Clyde opened them and turned them over. Even now, because the label of the Lycurgus House ("Compliments of Lycurgus House, Lycurgus, N. Y.") was stamped in red very much like the printed red lettering on the rest of the folder, he failed to notice it at first.

He turned and turned them over, and then having decided that there was no trap here, replied: "Yes, I think these are the ones."

"Well, now," went on Mason, slyly, "in which one of these was it that you found that notice of Grass Lake Inn and the rate they charged up there? Wasn't it in this one?" And here he returned the identical stamped folder, on one page of which—and the same indicated by Mason't left forefinger—was the exact notice to which Clyde had called Roberta's attention. Also in the center was a map showing the Indian Chain together with Twelfth, Big Bittern, and Grass Lakes, as well as many others, and at the bottom of this map a road plainly indicated as leading from Grass Lake and Gun Lodge south past the southern end of Big Bittern to Three Mile Bay. Now seeing this after so long a time again, he suddenly decided that it must be his knowledge of this road that Mason was seeking to establish, and a little quivery and creepy now, he replied: "Yes, it may be the one. It looks like it. I guess it is, maybe."

"Don't you know that it is?" insisted Mason, darkly and dourly. "Can't you tell from reading that item there whether it is or not?"

"Well, it looks like it," replied Clyde, evasively after examining the item which had inclined him toward Grass Lake in the first place. "I suppose maybe it is."

"You suppose! You suppose! Getting a little more cautious now that we're getting down to something practical. Well, just look at that map there again and tell me what you see. Tell me if you don't see a road marked as leading south from Grass Lake."

"Yes," replied Clyde, a little sullenly and bitterly after a time, so flayed and bruised was he by this man who was so determined to harry him to his grave. He fingered the map and pretended to look as directed, but was seeing only all that he had seen long before there in Lycurgus, so shortly before he departed for Fonda to meet Roberta. And now here it was being used against him.

"And where does it run, please? Do you mind telling the jury where it runs—from where to where?"

And Clyde, nervous and fearful and physically very much reduced, now replied: "Well, it runs from Grass Lake to Three Mile Bay."

"And to what or near what other places in between?" continued Mason, looking over his shoulder.

"Gun Lodge. That's all."

"What about Big Bittern? Doesn't it run near that when it gets to the south of it?"

"Yes, sir, it does here."

"Ever notice or study that map before you went to Grass Lake from Utica?" persisted Mason, tensely and forcefully.

"No, sir—I did not."

"Never knew the road was on there?"

"Well, I may have seen it," replied Clyde, "but if so I didn't pay any attention to it."

"And, of course, by no possible chance could you have seen or studied this folder and that road before you left Utica?"

"No, sir. I never saw it before."

"I see. You're absolutely positive as to that?"

"Yes, sir. I am."

"Well then, explain to me, or to this jury, if you can, and under your solemn oath which you respect so much, how it comes that this particular folder chances to be marked, 'Compliments of the Lycurgus House, Lycurgus, N. Y.'" And here he folded the folder and presenting the back, showed Clyde the thin red stamp in between the other red lettering. And Clyde, noting it, gazed as one in a trance. His ultra-pale face now blanched gray again, his long thin fingers opened and shut, the red and swollen and weary lids of his eyes blinked and blinked to break the strain of the damning fact before him.

"I don't know," he said, a little weakly, after a time. "It must have been in the Renfrew House rack."

"Oh, must it? And if I bring two witnesses here to swear that on July third—three days before you left Lycurgus for Fonda—you were seen by them to enter the Lycurgus House and take four or five folders from the rack there, will you still say that it 'musta been in the rack at the Renfrew House' on July sixth?" As he said this, Mason paused and looked triumphantly about as much as to say: There, answer that if you can! and Clyde, shaken and stiff and breathless for the time being, was compelled to wait at least fifteen seconds before he was able sufficiently to control his nerves and voice in order to reply: "Well, it musta been. I didn't get it in Lycurgus."

"Very good. But in the meantime we'll just let these gentlemen here look at this," and he now turned the folder over to the foreman of the jury, who in turn passed it to the juryman next to him, and so on, the while a distinct whisper and buzz passed over the entire courtroom.

And when they had concluded—and much to the surprise of the audience, which was expecting more and more attacks and exposures almost without cessation—Mason turned and explained: "That's all." And at once many of the spectators in

the room beginning to whisper: "Trapped! Trapped!" And Justice Oberwaltzer at once announcing that because of the lateness of the hour, and in the face of a number of additional witnesses for the defense, as well as a few in rebuttal for the prosecution, he would prefer it if the work for the day ended here. And both Belknap and Mason gladly agreeing. And Clyde—the doors of the courtroom being stoutly locked until he should be in his cell across the way—being descended upon by Kraut and Sissell and by them led through and down the very door and stairs which for days he had been looking at and pondering about. And once he was gone, Belknap and Jephson looking at each other but not saying anything until once more safely locked in their own office, when Belknap began with: ". . . not carried off with enough of an air. The best possible defense but not enough courage. It just isn't in him, that's all." And Jephson, flinging himself heavily into a chair, his overcoat and hat still on, and saying: "No, that's the real trouble, no doubt. It musta been that he really did kill her. But I suppose we can't give up the ship now. He did almost better than I expected, at that." And Belknap adding: "Well, I'll do my final best and damnedest in my summing up, and that's all I can do." And Jephson replying, a little wearily: "That's right, Alvin, it's mostly up to you now, I'm sorry. But in the meantime, I think I'll go around to the jail and try and hearten 'im up a bit. It won't do to let him look too winged or lame tomorrow. He has to sit up and make the jury feel that he, himself, feels that he isn't guilty whatever they think." And rising he shoved his hands in the side pockets of his long coat and proceeded through the winter's dark and cold of the dreary town to see Clyde.

CHAPTER XXVI

THE remainder of the trial consisted of the testimony of eleven witnesses—four for Mason and seven for Clyde. One of the latter—a Dr. A. K. Sword, of Rehobeth—chancing to be at Big Bittern on the day that Roberta's body was returned to the boat-house, now declared that he had seen and examined it there and that the wounds, as they appeared then, did not seem to him as other than such as might have been delivered by such a blow as Clyde admitted to having struck accidentally, and that unquestionably Miss Alden had been drowned while conscious—and not unconscious, as the state would have the jury believe—a result which led Mason into an inquiry concerning the gentleman's medical history, which, alas, was not as impressive as it might have been. He had been graduated from a second-rate medical school in Oklahoma and had practised in a small town ever since. In addition to him—and entirely apart from the crime with which Clyde was charged—there was Samuel Yearsley, one of the farmers from around Gun Lodge, who, driving over the road which Roberta's body had traveled in being removed from Big Bittern to Gun Lodge, now earnestly swore that the road, as he had noticed in driving over it that same morning, was quite rough—making it possible for Belknap, who was examining him, to indicate that this was at least an approximate cause of the extra-severity of the wounds upon Roberta's head and face. This bit of testimony was later contradicted, however, by a rival witness for Mason—the driver for Lutz Brothers, no less, who as earnestly swore that he found no ruts or rough places whatsoever in the road. And again there were Liggett and Whiggam to say that in so far as they had been able to note or determine, Clyde's conduct in connection with his technical efforts for Griffiths & Company had been attentive, faithful and valuable. They had seen no official harm in him. And then several other minor witnesses to say that in so far as they had been able to observe his social comings and goings, Clyde's conduct was most circumspect, ceremonious and guarded. He had done no ill that they knew of. But, alas, as Mason in cross-examining them was quick to point out, they

had never heard of Roberta Alden or her trouble or even of Clyde's social relationship with her.

Finally many small and dangerous and difficult points having been bridged or buttressed or fended against as well as each side could, it became Belknap's duty to say his last word for Clyde. And to this he gave an entire day, most carefully, and in the spirit of his opening address, retracing and emphasizing every point which tended to show how, almost unconsciously, if not quite innocently, Clyde had fallen into the relationship with Roberta which had ended so disastrously for both. Mental and moral cowardice, as he now reiterated, inflamed or at least operated on by various lacks in Clyde's early life, plus new opportunities such as previously had never appeared to be within his grasp, had affected his *"perhaps too pliable and sensual and impractical and dreaming mind."* No doubt he had not been fair to Miss Alden. No question as to that. He had not. But on the other hand—and as had been most clearly shown by the confession which the defense had elicited—he had not proved ultimately so cruel or vile as the prosecution would have the public and this honorable jury believe. Many men were far more cruel in their love life than this young boy had ever dreamed of being, and, of course, they were not necessarily hung for that. And in passing technically on whether this boy had actually committed the crime charged, it was incumbent upon this jury to see that no generous impulse relating to what this poor girl might have suffered in her love-relations with this youth be permitted to sway them to the belief or decision that for that this youth had committed the crime specifically stated in the indictment. Who among both sexes were not cruel at times in their love life, the one to the other?

And then a long and detailed indictment of the purely circumstantial nature of the evidence—no single person having seen or heard anything of the alleged crime itself, whereas Clyde himself had explained most clearly how he came to find himself in the peculiar situation in which he did find himself. And after that, a brushing aside of the incident of the folder, as well as Clyde's not remembering the price of the boat at Big Bittern, his stopping to bury the tripod and his being so near Roberta and not aiding her, as either being mere accidents of chance, or memory, or, in the case of his failing to go to her rescue, of his being dazed, confused, frightened—"hesitating fatally but not criminally at the one time in his life when he should not have hesitated"—a really strong if jesuitical plea which was not without its merits and its weight.

And then Mason, blazing with his conviction that Clyde was a murderer of the coldest and blackest type, and spending an entire day in riddling the "spider's tissue of lies and unsupported statements" with which the defense was hoping to divert the minds of the jury from the unbroken and unbreakable chain of amply substantiated evidence wherewith the prosecution had proved this "bearded man" to be the "red-handed murderer" that he was. And with hours spent in retracing the statements of the various witnesses. And other hours in denouncing Clyde, or re-telling the bitter miseries of Roberta—so much so that the jury, as well as the audience, was once more on the verge of tears. And with Clyde deciding in his own mind, as he sat between Belknap and Jephson, that no jury such as this was likely to acquit him in the face of evidence so artfully and movingly recapitulated.

And then Oberwaltzer from his high seat finally instructing the jury: "Gentlemen—all evidence is, in a strict sense, more or less circumstantial, whether consisting of facts which permit the inference of guilt or whether given by an eyewitness. The testimony of an eyewitness is, of course, based upon circumstances.

"If any of the material facts of the case are at variance with the probability of guilt, it will be the duty of you gentlemen to give the defendant the benefit of the doubt raised.

"And it must be remembered that evidence is not to be discredited or decried because it is circumstantial. It may often be more reliable evidence than direct evidence.

"Much has been said here concerning motive and its importance in this case, but you are to remember that proof of motive is by no means indispensable or essential to conviction. While a motive may be shown as a *circumstance* to aid in *fixing* a crime, yet the people are not required to prove a motive.

"If the jury finds that Roberta Alden accidentally or involuntarily fell out of the boat and that the defendant made no attempt to rescue her, that does not make the defendant guilty and the jury must find the defendant 'not guilty.' On the other hand, if the jury finds that the defendant in any way, intentionally, there and then brought about or contributed to that fatal accident, either by a blow or otherwise, it must find the defendant guilty.

"While I do not say that you must agree upon your verdict, I would suggest that you ought not, any of you, place your minds in a position which will not yield if after careful deliberation you find you are wrong."

So Justice Oberwaltzer—solemnly and didactically from his high seat to the jury.

And then, that point having been reached, the jury rising and filing from the room at five in the afternoon. And Clyde immediately thereafter being removed to his cell before the audience proper was allowed to leave the building. There was constant fear on the part of the sheriff that he might be attacked. And after that five long hours in which he waited, walking to and fro, to and fro, in his cell, or pretending to read or rest, the while Kraut or Sissel, tipped by various representatives of the press for information as to how Clyde "took it" at this time, slyly and silently remained as near as possible to watch.

And in the meantime Justice Oberwaltzer and Mason and Belknap and Jephson, with their attendants and friends, in various rooms of the Bridgeburg Central Hotel, dining and then waiting impatiently, with the aid of a few drinks, for the jury to agree, and wishing and hoping that the verdict would be reached soon, whatever it might be.

And in the meantime the twelve men—farmers, clerks, and storekeepers, re-canvassing for their own mental satisfaction the fine points made by Mason and Belknap and Jephson. Yet out of the whole twelve but one man—Samuel Upham, a druggist—(politically opposed to Mason and taken with the personality of Jephson)—sympathizing with Belknap and Jephson. And so pretending that he had doubts as to the completeness of Mason's proof until at last after five ballots were taken he was threatened with exposure and the public rage and obloquy which was sure to follow in case the jury was hung. "We'll fix you. You won't get by with this without the public knowing exactly where you stand." Whereupon, having a satisfactory drug business in North Mansfield, he at once decided that it was best to pocket this opposition to Mason and agree.

Then four hollow knocks on the door leading from the jury room to the court room. It was the foreman of the jury, Foster Lund, a dealer in cement, lime and stone. His great fist was knocking. And at that the hundreds who had crowded into the hot stuffy court room after dinner—though many had not even left—stirred from the half stupor into which they had fallen. "What's that? What's happened? Is the jury ready to report? What's the verdict?" And men and women and children starting up to draw nearer the excluding rail. And the two deputies on guard before the jury door beginning to call, "All right! All right! As soon as the judge comes." And then other deputies hurrying to the prison over

the way in order that the sheriff might be notified and Clyde brought over—and to the Bridgeburg Central Hotel to summon Oberwaltzer and all the others. And then Clyde, in a half stupor or daze from sheer loneliness and killing suspense, being manacled to Kraut and led over between Slack, Sissell and others. And Oberwaltzer, Mason, Belknap and Jephson and the entire company of newspaper writers, artists, photographers and others entering and taking the places that they had occupied all these long weeks. And Clyde winking and blinking as he was seated behind Belknap and Jephson now—not with them, for as stoutly manacled as he was to Kraut, he was compelled to sit by him. And then Oberwaltzer on the bench and the clerk in his place, the jury room door being opened and the twelve men filing solemnly in—quaint and varied figures in angular and for the most part much-worn suits of the ready-made variety. And as they did so, seating themselves in the jury box, only to rise again at the command of the clerk, who began: "Gentlemen of the jury, have you agreed on a verdict?"—yet without one of them glancing in the direction of either Belknap or Jephson or Clyde, which Belknap at once interpreted as fatal.

"It's all off," he whispered to Jephson. "Against us. I can tell." And then Lund announcing: "We have. We find the defendant guilty of murder in the first degree." And Clyde, entirely dazed and yet trying to keep his poise and remain serene, gazing straight before him toward the jury and beyond, and with scarcely a blink of the eye. For had he not, in his cell the night before, been told by Jephson, who had found him deeply depressed, that the verdict in this trial, assuming that it proved to be unfavorable, was of no consequence. The trial from start to finish had been unfair. Prejudice and bias had governed its every step. Such bullying and browbeating and innuendo as Mason had indulged in before the jury would never pass as fair or adequate in any higher court. And a new trial—on appeal—would certainly be granted—although by whom such an appeal was to be conducted he was not now prepared to discuss.

And now, recalling that, Clyde saying to himself that it did not so much matter perhaps, after all. It could not, really—or could it? Yet think what these words meant in case he could not get a new trial! Death! That is what it would mean if this were final—and perhaps it was final. And then to sit in that chair he had seen in his mind's eye for so long—these many days and nights when he could not force his mind to drive it away. Here it was again before him—that dreadful, ghastly chair—only closer and larger than ever before—there in

the very center of the space between himself and Justice Oberwaltzer. He could see it plainly now—squarish, heavy-armed, heavy-backed, some straps at the top and sides. God! Supposing no one would help him now! Even the Griffiths might not be willing to pay out any more money! Think of that! The Court of Appeals to which Jephson and Belknap had referred might not be willing to help him either. And then these words would be final. They would! They would! God! His jaws moved slightly, then set—because at the moment he became conscious that they were moving. Besides, at that moment Belknap was rising and asking for an individual poll of the jury, while Jephson leaned over and whispered: "Don't worry about it. It isn't final. We'll get a reversal as sure as anything." Yet as each of the jurors was saying: "Yes"—Clyde was listening to them, not to Jephson. Why should each one say that with so much emphasis? Was there not one who felt that he might not have done as Mason had said—struck her intentionally? Was there not one who even half-believed in that change of heart which Belknap and Jephson had insisted that he had experienced? He looked at them all—little and big. They were like a blackish-brown group of wooden toys with creamish-brown or old ivory faces and hands. Then he thought of his mother. She would hear of this now, for here were all these newspaper writers and artists and photographers assembled to hear this. And what would the Griffiths—his uncle and Gilbert—think now? And Sondra! Sondra! Not a word from her. And through all this he had been openly testifying, as Belknap and Jephson had agreed that he must do—to the compelling and directing power of his passion for her—the real reason for all this! But not a word. And she would not send him any word now, of course—she who had been going to marry him and give him everything!

But in the meantime the crowd about him silent although—or perhaps because—intensely satisfied. The little devil hadn't "gotten by." He hadn't fooled the twelve sane men of this county with all that bunk about a change of heart. What rot! While Jephson sat and stared, and Belknap, his strong face written all over with contempt and defiance, making his motions. And Mason and Burleigh and Newcomb and Redmond thinly repressing their intense satisfaction behind masks preternaturally severe, the while Belknap continued with a request that the sentence be put off until the following Friday—a week hence, when he could more conveniently attend, but with Justice Oberwaltzer replying that he thought not—unless some good reason

could be shown. But on the morrow, if counsel desired, he would listen to an argument. If it were satisfactory he would delay sentence—otherwise, pronounce it the following Monday.

Yet, even so, Clyde was not concerned with this argument at the moment. He was thinking of his mother and what she would think—feel. He had been writing her so regularly, insisting always that he was innocent and that she must not believe all, or even a part, of what she read in the newspapers. He was going to be acquitted sure. He was going to go on the stand and testify for himself. But now . . . now . . . oh, he needed her now—so much. Quite every one, as it seemed now, had forsaken him. He was terribly, terribly alone. And he must send her some word quickly. He must. He must. And then asking Jephson for a piece of paper and a pencil, he wrote: "Mrs. Asa Griffiths, care of Star of Hope Mission, Denver, Colorado. Dear mother—I am convicted—Clyde." And then handing that to Jephson, he asked him, nervously and weakly, if he would see that it was sent right away. "Right away, son, sure," replied Jephson, touched by his looks, and waving to a press boy who was near gave it to him together with the money.

And then, while this was going on, all the public exits being locked until Clyde, accompanied by Sissel and Kraut, had been ushered through the familiar side entrance through which he had hoped to escape. And with all the press and the public and the still-remaining jury gazing, for even yet they had not seen enough of Clyde but must stare into his face to see how he was taking it. And because of the local feeling against him, Justice Oberwaltzer, at Slack's request, holding court un-adjourned until word was brought that Clyde was once more locked in his cell, whereupon the doors were re-opened. And then the crowd surging out but only to wait at the courtroom door in order to glimpse, as he passed out, Mason, who now, of all the figures in this case, was the true hero—the nemesis of Clyde—the avenger of Roberta. But he not appearing at first but instead Jephson and Belknap together, and not so much depressed as solemn, defiant—Jephson, in particular, looking unconquerably contemptuous. Then some one calling: "Well, you didn't get him off just the same," and Jephson replying, with a shrug of his shoulders, "Not yet, but this county isn't all of the law either." Then Mason, immediately afterward—a heavy, baggy overcoat thrown over his shoulder, his worn soft hat pulled low over his eyes—and followed by Burleigh, Heit, Newcomb and others as a royal train—while he walked in the manner of one entirely oblivious of the meaning or compliment of this waiting

throng. For was he not now a victor and an elected judge! And as instantly being set upon by a circling, huzzahing mass—the while a score of those nearest sought to seize him by the hand or place a grateful pat upon his arm or shoulder. "Hurrah for Orville!" "Good for you, judge!" (his new or fast-approaching title). "By God! Orville Mason, you deserve the thanks of this county!" "Hy-oh! Heigh! Heigh!" "Three cheers for Orville Mason!" And with that the crowd bursting into three resounding huzzahs—which Clyde in his cell could clearly hear and at the same time sense the meaning of.

They were cheering Mason for convicting him. In that large crowd out there there was not one who did not believe him totally and completely guilty. Roberta—her letters—her determination to make him marry her—her giant fear of exposure—had dragged him down to this. To conviction. To death, maybe. Away from all he had longed for—away from all he had dreamed he might possess. And Sondra! Sondra! Not a word! Not a word! And so now, fearing that Kraut or Sissell or some one might be watching (ready to report even now his every gesture), and not willing to show after all how totally collapsed and despondent he really was, he sat down and taking up a magazine pretended to read, the while he looked far, far beyond it to other scenes—his mother—his brother and sisters—the Griffiths—all he had known. But finding these unsubstantiated mind visions a little too much, he finally got up and throwing off his clothes climbed into his iron cot.

"Convicted! Convicted!" And that meant that he must die! God! But how blessed to be able to conceal his face upon a pillow and not let any one see—however accurately they might guess!

CHAPTER XXVII

THE dreary aftermath of a great contest and a great failure, with the general public from coast to coast—in view of this stern local interpretation of the tragedy—firmly convinced that Clyde was guilty and, as heralded by the newspapers everywhere, that he had been properly convicted. The pathos of that poor little murdered country girl! Her sad letters! How she must have suffered! That weak defense! Even the Griffiths of Denver were so shaken by the evidence as the trial had progressed that they scarcely dared read the papers openly—one to the other—but, for the most part, read of it separately and alone, whispering together afterwards of the damning, awful deluge of circumstantial evidence. Yet, after reading Belknap's speech and Clyde's own testimony, this little family group that had struggled along together for so long coming to believe in their own son and brother in spite of all they had previously read against him. And because of this—during the trial as well as afterwards—writing him cheerful and hopeful letters, based frequently on letters from him in which he insisted over and over again that he was not guilty. Yet once convicted, and out of the depths of his despair wiring his mother as he did—and the papers confirming it—absolute consternation in the Griffiths family. For was not this proof? Or, was it? All the papers seemed to think so. And they rushed reporters to Mrs. Griffiths, who, together with her little brood, had sought refuge from the unbearable publicity in a remote part of Denver entirely removed from the mission world. A venal moving-van company had revealed her address.

And now this American witness to the rule of God upon earth, sitting in a chair in her shabby, nondescript apartment, hard-pressed for the very means to sustain herself—degraded by the milling forces of life and the fell and brutal blows of chance—yet serene in her trust—and declaring: "I cannot think this morning. I seem numb and things look strange to me. My boy found guilty of murder! But I am his mother and I am not convinced of his guilt by any means! He has written me that he is not guilty and I believe him. And to whom should he turn with the truth and for trust if not to me? But there is He who sees all things and who knows."

At the same time there was so much in the long stream of evidence, as well as Clyde's first folly in Kansas City, that had caused her to wonder—and fear. Why was he unable to explain that folder? Why couldn't he have gone to the girl's aid when he could swim so well? And why did he proceed so swiftly to the mysterious Miss X—whoever she was? Oh, surely, surely, she was not going to be compelled, in spite of all her faith, to believe that her eldest—the most ambitious and hopeful, if restless, of all of her children, was guilty of such a crime! No! She could not doubt him—even now. Under the merciful direction of a living God, was it not evil in a mother to believe evil of a child, however dread his erring ways might seem? In the silence of the different rooms of the mission, before she had been compelled to remove from there because of curious and troublesome visitors, had she not stood many times in the center of one of those miserable rooms while sweeping and dusting, free from the eye of any observer—her head thrown back, her eyes closed, her strong, brown face molded in homely and yet convinced and earnest lines—a figure out of the early Biblical days of her six thousand-year-old world—and earnestly directing her thoughts to that imaginary throne which she saw as occupied by the living, giant mind and body of the living God—her Creator. And praying by the quarter and the half hour that she be given strength and understanding and guidance to know of her son's innocence or guilt—and if innocent that this searing burden of suffering be lifted from him and her and all those dear to him and her—or if guilty, she be shown how to do—how to endure the while he be shown how to wash from his immortal soul forever the horror of the thing he had done—make himself once more, if possible, white before the Lord.

"Thou art mighty, O God, and there is none beside Thee. Behold, to Thee all things are possible. In Thy favor is Life. Have mercy, O God. Though his sins be as scarlet, make him white as snow. Though they be red like crimson, make them as wool."

Yet in her then—and as she prayed—was the wisdom of Eve in regard to the daughters of Eve. That girl whom Clyde was alleged to have slain—what about her? Had she not sinned too? And was she not older than Clyde? The papers said so. Examining the letters, line by line, she was moved by their pathos and was intensely and pathetically grieved for the misery that had befallen the Aldens. Nevertheless, as a mother and a woman full of the wisdom of ancient Eve, she saw how Roberta herself must have consented—how the lure of her must have aided in the

weakening and the betrayal of her son. A strong, good girl would not have consented—could not have. How many confessions about this same thing had she not heard in the mission and at street meetings? And might it not be said in Clyde's favor—as in the very beginning of life in the Garden of Eden —"the woman tempted me?"

Truly—and because of that——

"His mercy endureth forever," she quoted. And if His mercy endureth—must that of Clyde's mother be less?

"If ye have faith, so much as the grain of a mustard seed," she quoted to herself—and now, in the face of these importuning reporters added: "Did my son kill her? That is the question. Nothing else matters in the eyes of our Maker," and she looked at the sophisticated, callous youths with the look of one who was sure that her God would make them understand. And even so they were impressed by her profound sincerity and faith. "Whether or not the jury has found him guilty or innocent is neither here nor there in the eyes of Him who holds the stars in the hollow of His hand. The jury's finding is of men. It is of the earth's earthy. I have read his lawyer's plea. My son himself has told me in his letters that he is not guilty. I believe my son. I am convinced that he is innocent."

And Asa in another corner of the room, saying little. Because of his lack of comprehension of the actualities as well as his lack of experience of the stern and motivating forces of passion, he was unable to grasp even a tithe of the meaning of this. He had never understood Clyde or his lacks or his feverish imaginings, so he said, and preferred not to discuss him.

"But," continued Mrs. Griffiths, "at no time have I shielded Clyde in his sin against Roberta Alden. He did wrong, but she did wrong too in not resisting him. There can be no compromising with sin in any one. And though my heart goes out in sympathy and love to the bleeding heart of her dear mother and father who have suffered so, still we must not fail to see that this sin was mutual and that the world should know and judge accordingly. Not that I want to shield him," she repeated. "He should have remembered the teachings of his youth." And here her lips compressed in a sad and somewhat critical misery. "But I have read her letters too. And I feel that but for them, the prosecuting attorney would have had no real case against my son. He used them to work on the emotions of the jury." She got up, tried as by fire, and exclaimed, tensely and beautifully: "But he is my son! He has just been convicted. I must think as a mother how to help him, however I feel as to his sin." She

gripped her hands together, and even the reporters were touched by her misery. "I must go to him! I should have gone before. I see it now." She paused, discovering herself to be addressing her inmost agony, need, fear, to these public ears and voices, which might in no wise understand or care.

"Some people wonder," now interrupted one of these same—a most practical and emotionally calloused youth of Clyde's own age—"why you weren't there during the trial. Didn't you have the money to go?"

"I had no money," she replied, simply. "Not enough, anyhow. And besides, they advised me not to come—that they did not need me. But now—now I must go—in some way—I must find out how." She went to a small, shabby desk, which was a part of the sparse and colorless equipment of the room. "You boys are going downtown," she said. "Would one of you send a telegram for me if I give you the money?"

"Sure!" exclaimed the one who had asked her the rudest question. "Give it to me. You don't need any money. I'll have the paper send it." Also, as he thought, he would write it up, or in, as a part of his story.

She seated herself at the yellow and scratched desk and after finding a small pad and pen, she wrote: "Clyde—Trust in God. All things are possible to him. Appeal at once. Read Psalms 51. Another trial will prove your innocence. We will come to you soon. Father and Mother."

"Perhaps I had just better give you the money," she added, nervously, wondering whether it would be well to permit a newspaper to pay for this and wondering at the same time if Clyde's uncle would be willing to pay for an appeal. It might cost a great deal. Then she added: "It's rather long."

"Oh, don't bother about that!" exclaimed another of the trio, who was anxious to read the telegram. "Write all you want. We'll see that it goes."

"I want a copy of that," added the third, in a sharp and uncompromising tone, seeing that the first reporter was proceeding to take and pocket the message. "This isn't private. I get it from you or her—now!"

And at this, number one, in order to avoid a scene, which Mrs. Griffiths, in her slow way, was beginning to sense, extracted the slip from his pocket and turned it over to the others, who there and then proceeded to copy it.

At the same time that this was going on, the Griffiths of Lycurgus, having been consulted as to the wisdom and cost of a new trial, disclosed themselves as by no means interested, let

alone convinced, that an appeal—at least at their expense—was justified. The torture and socially—if not commercially—destroying force of all this—every hour of it a Golgotha! Bella and her social future, to say nothing of Gilbert and his—completely overcast and charred by this awful public picture of the plot and crime that one of their immediate blood had conceived and executed! Samuel Griffiths himself, as well as his wife, fairly macerated by this blasting flash from his well-intentioned, though seemingly impractical and nonsensical good deed. Had not a long, practical struggle with life taught him that sentiment in business was folly? Up to the hour he had met Clyde he had never allowed it to influence him in any way. But his mistaken notion that his youngest brother had been unfairly dealt with by their father! And now this! This! His wife and daughter compelled to remove from the scene of their happiest years and comforts and live as exiles—perhaps forever—in one of the suburbs of Boston, or elsewhere—or forever endure the eyes and sympathy of their friends! And himself and Gilbert almost steadily conferring ever since as to the wisdom of uniting the business in stock form with some of the others of Lycurgus or elsewhere—or, if not that, of transferring, not by degrees but speedily, to either Rochester or Buffalo or Boston or Brooklyn, where a main plant might be erected. The disgrace of this could only be overcome by absenting themselves from Lycurgus and all that it represented to them. They must begin life all over again—socially at least. That did not mean so much to himself or his wife—their day was about over anyhow. But Bella and Gilbert and Myra—how to rehabilitate them in some way, somewhere?

And so, even before the trial was finished, a decision on the part of Samuel and Gilbert Griffiths to remove the business to South Boston, where they might decently submerge themselves until the misery and shame of this had in part at least been forgotten.

And because of this further aid to Clyde absolutely refused. And Belknap and Jephson then sitting down together to consider. For obviously, their time being as valuable as it was—devoted hitherto to the most successful practice in Bridgeburg—and with many matters waiting on account of the pressure of this particular case—they were by no means persuaded that either their practical self-interest or their charity permitted or demanded their assisting Clyde without further recompense. In fact, the expense of appealing this case was going to be considerable as they saw it. The record was enormous. The briefs would be large

and expensive, and the State's allowance for them was pitifully small. At the same time, as Jephson pointed out, it was folly to assume that the western Griffiths might not be able to do anything at all. Had they not been identified with religious and charitable work this long while? And was it not possible, the tragedy of Clyde's present predicament pointed out to them, that they might through appeals of various kinds raise at least sufficient money to defray the actual costs of such an appeal? Of course, they had not aided Clyde up to the present time but that was because his mother had been notified that she was not needed. It was different now.

"Better wire her to come on," suggested Jephson, practically. "We can get Oberwaltzer to set the sentence over until the tenth if we say that she is trying to come on here. Besides, just tell her to do it and if she says she can't we'll see about the money then. But she'll be likely to get it and maybe some towards the appeal too."

And forthwith a telegram and a letter, to Mrs. Griffiths, saying that as yet no word had been said to Clyde but none-the-less his Lycurgus relatives had declined to assist him further in any way. Besides, he was to be sentenced not later than the tenth, and for his own future welfare it was necessary that some one—preferably herself—appear. Also that funds to cover the cost of an appeal be raised, or at least the same guaranteed.

And then Mrs. Griffiths, on her knees praying to her God to help her. Here, *now,* he must show his Almighty hand—his never-failing Mercy. Enlightenment and help must come from somewhere—otherwise how was she to get the fare, let alone raise money for Clyde's appeal?

Yet as she prayed—on her knees—a thought. The newspapers had been hounding her for interviews. They had followed her here and there. Why had she not gone to her son's aid? What did she think of this? What of that? And now she said to herself, why should she not go to the editor of one of the great papers so anxious to question her always and tell him how great was her need? Also, that if he would help her to reach her son in time to be with him on his day of sentence that she, his mother, would report the same for him. These papers were sending their reporters here, there—even to the trial, as she had read. Why not her—his mother? Could she not speak and write too? How many, many tracts had she not composed?

And so now to her feet—only to sink once more on her knees: "Thou hast answered me, oh, my God!" she exclaimed. Then rising, she got out her ancient brown coat, the commonplace

brown bonnet with strings—based on some mood in regard to religious livery—and at once proceeded to the largest and most important newspaper. And because of the notoriety of her son's trial she was shown directly to the managing editor, who was as much interested as she was impressed and who listened to her with respect and sympathy. He understood her situation and was under the impression that the paper would be interested in this. He disappeared for a few moments—then returned. She would be employed as a correspondent for a period of three weeks, and after that until further notice. Her expenses to and fro would be covered. An assistant, into whose hands he would now deliver her would instruct her as to the method of preparing and filing her communications. He would also provide her with some ready cash. She might even leave to-night if she chose —the sooner, the better. The paper would like a photograph or two before she left. But as he talked, and as he noticed, her eyes were closed—her head back. She was offering thanks to the God who had thus directly answered her plea.

CHAPTER XXVIII

BRIDGEBURG and a slow train that set down a tired, distrait woman at its depot after midnight on the eighth of December. Bitter cold and bright stars. A lone depot assistant who on inquiry directed her to the Bridgeburg Central House—straight up the street which now faced her, then two blocks to her left after she reached the second street. The sleepy night clerk of the Central House providing her instantly with a room and, once he knew who she was, directing her to the county jail. But she deciding after due rumination that now was not the hour. He might be sleeping. She would go to bed and rise early in the morning. She had sent him various telegrams. He knew that she was coming.

But as early as seven in the morning, rising, and by eight appearing at the jail, letters, telegrams and credentials in hand. And the jail officials, after examining the letters she carried and being convinced of her identity, notifying Clyde of her presence. And he, depressed and forlorn, on hearing this news, welcoming the thought of her as much as at first he had dreaded her coming. For now things were different. All the long grim story had been told. And because of the plausible explanation which Jephson had provided him, he could face her perhaps and say without a quaver that it was true—that he had not plotted to kill Roberta—that he had not willingly left her to die in the water. And then hurrying down to the visitor's room, where, by the courtesy of Slack, he was permitted to talk with his mother alone.

On seeing her rise at his entrance, and hurrying to her, his troubled intricate soul not a little dubious, yet confident also that it was to find sanctuary, sympathy, help, perhaps—and that without criticism—in her heart. And exclaiming with difficulty, as a lump thickened in his throat: "Gee, Ma! I'm glad you've come." But she too moved for words—her condemned boy in her arms—merely drawing his head to her shoulder and then looking up. The Lord God had vouchsafed her this much. Why not more? The ultimate freedom of her son—or if not that, at least a new trial—a fair consideration of the evidence

in his favor which had not been had yet, of course. And so they stood for several moments.

Then news of home, the reason for her presence, her duty as a correspondent to interview him—later to appear with him in court at the hour of his sentence—a situation over which Clyde winced. Yet now, as he heard from her, his future was likely to depend on her efforts alone. The Lycurgus Griffiths, for reasons of their own, had decided not to aid him further. But she—if she were but able to face the world with a sound claim—might still aid him. Had not the Lord aided her thus far? Yet to face the world and the Lord with her just plea she must know from him—now—the truth as to whether he had intentionally or unintentionally struck Roberta—whether intentionally or unintentionally he had left her to die. She had read the evidence and his letters and had noted all the defects in his testimony. But were those things as contended by Mason true or false?

Clyde, now as always overawed and thrown back on himself by that uncompromising and shameless honesty which he had never been able quite to comprehend in her, announced, with all the firmness that he could muster—yet with a secret quavering chill in his heart—that he had sworn to the truth. He had not done those things with which he had been charged. He had not. But, alas, as she now said to herself, on observing him, what was that about his eyes—a faint flicker perhaps. He was not so sure—as self-convinced and definite as she had hoped—as she had prayed he would be. No, no, there was something in his manner, his words, as he spoke,—a faint recessive intonation, a sense of something troubled, dubious, perhaps, which quite froze her now.

He was not positive enough. And so he might have plotted, in part at least, as she had feared at first, when she had first heard of this—might have even struck her on that lone, secret lake!—who could tell? (the searing, destroying power of such a thought as that). And that in the face of all his testimony to the contrary.

But "Jehovah, jirah, Thou wilt not require of a mother, in her own and her son's darkest hour, that she doubt him,—make sure his death through her own lack of faith? Oh, no—Thou wilt not. O Lamb of God, Thou wilt not!" She turned; she bruised under her heel the scaly head of this dark suspicion —as terrifying to her as his guilt was to him. "O Absalom, my Absalom! Come, come, we will not entertain such a thought. God himself would not urge it upon a mother." Was

he not here—her son—before her, declaring firmly that he had not done this thing. She must believe—she would believe him utterly. She would—and did—whatever fiend of doubt might still remain locked in the lowest dungeon of her miserable heart. Come, come, the public should know how she felt. She and her son would find a way. He must believe and pray. Did he have a Bible? Did he read it? And Clyde having been long since provided with a Bible by a prison worker, assured her that he had and did read it.

But now she must go first to see his lawyers, next to file her dispatch, after which she would return. But once out on the street being immediately set upon by several reporters and eagerly questioned as to the meaning of her presence here. Did she believe in her son's innocence? Did she or did she not think that he had had a fair trial? Why had she not come on before? And Mrs. Griffiths, in her direct and earnest and motherly way, taking them into her confidence and telling how as well as why she came to be here, also why she had not come before.

But now that she was here she hoped to stay. The Lord would provide the means for the salvation of her son, of whose innocence she was convinced. Would they not ask God to help her? Would they not pray for her success? And with the several reporters not a little moved and impressed, assuring her that they would, of course, and thereafter describing her to the world at large as she was—middle-aged, homely, religious, determined, sincere and earnest and with a moving faith in the innocence of her boy.

But the Griffiths of Lycurgus, on hearing this, resenting her coming as one more blow. And Clyde, in his cell, on reading of it later, somewhat shocked by the gross publicity now attending everything in connection with him, yet, because of his mother's presence, resigned and after a time almost happy. Whatever her faults or defects, after all she was his mother, wasn't she? And she had come to his aid. Let the public think what it would. Was he not in the shadow of death and she at least had not deserted him. And with this, her suddenly manifested skill in connecting herself in this way with a Denver paper, to praise her for.

She had never done anything like this before. And who knew but that possibly, and even in the face of her dire poverty now, she might still be able to solve this matter of a new trial for him and so save his life? Who knew? And yet how much and how indifferently he had sinned against her! Oh, how much. And still here she was—his mother still anxious

and tortured and yet loving and seeking to save his life by writing up his own conviction for a western paper. No longer did the shabby coat and the outlandish hat and the broad, immobile face and somewhat stolid and crude gestures seem the racking and disturbing things they had so little time since. She was his mother and she loved him, and believed him and was struggling to save him.

On the other hand Belknap and Jephson on first encountering her were by no means so much impressed. For some reason they had not anticipated so crude and unlettered and yet convinced a figure. The wide, flat shoes. The queer hat. The old brown coat. Yet somehow, after a few moments, arrested by her earnestness and faith and love for her son and her fixed, inquiring, and humanly clean and pure blue eyes in which dwelt immaterial conviction and sacrifice with no shadow of turning.

Did they personally think her son innocent? She must know that first. Or did they secretly believe that he was guilty? She had been so tortured by all the contradictory evidence. God had laid a heavy cross upon her and hers. Nevertheless, Blessed be His name! And both, seeing and feeling her great concern, were quick to assure her that they were convinced of Clyde's innocence. If he were executed for this alleged crime it would be a travesty on justice.

Yet both, now that they saw her, troubled as to the source of any further funds, her method of getting here, which she now explained, indicating that she had nothing. And an appeal sure to cost not less than two thousand. And Mrs. Griffiths, after an hour in their presence, in which they made clear to her the basic cost of an appeal—covering briefs to be prepared, arguments, trips to be made—asserting repeatedly that she did not quite see how she was to do. Then suddenly, and to them somewhat inconsequentially, yet movingly and dramatically, exclaiming: "The Lord will not desert me. I know it. He has declared himself unto me. It was His voice there in Denver that directed me to that paper. And now that I am here, I will trust Him and He will guide me."

But Belknap and Jephson merely looking at one another in unconvinced and pagan astonishment. Such faith! An exhorter! An Evangelist, no less! Yet to Jephson, here was an idea! There was the religious element to be reckoned with everywhere—strong in its agreement with just such faith. Assuming the Griffiths of Lycurgus to remain obdurate and unmoved—why then—why then—and now that she was here—there were

the churches and the religious people generally. Might it not be possible, with such a temperament and such faith as this, to appeal to the very element that had hitherto most condemned Clyde and made his conviction a certainty, for funds wherewith to carry this case to the court of appeals? This lorn mother. Her faith in her boy.

Presto!

A lecture, at so much for admission, and in which, hard-pressed as she was and could show, she would set forth the righteousness of her boy's claim—seek to obtain the sympathy of the prejudiced public and incidentally two thousand dollars or more with which this appeal could be conducted.

And now Jephson, turning to her and laying the matter before her and offering to prepare a lecture or notes—a condensation of his various arguments—in fact, an entire lecture which she could re-arrange and present as she chose—all the data which was the ultimate, basic truth in regard to her son. And she, her brown cheeks flushing and her eyes brightening, agreeing she would do it. She would try. She could do no less than try. Verily, verily, was not this the Voice and Hand of God in the darkest hour of her tribulation?

On the following morning Clyde was arraigned for sentence, with Mrs. Griffiths given a seat near him and seeking, paper and pencil in hand, to make notes of, for her, an unutterable scene, while a large crowd surveyed her. His own mother! And acting as a reporter! Something absurd, grotesque, insensitive, even ludicrous, about such a family and such a scene. And to think the Griffiths of Lycurgus should be so immediately related to them.

Yet Clyde sustained and heartened by her presence. For had she not returned to the jail the previous afternoon with her plan? And as soon as this was over—whatever the sentence might be—she would begin with her work.

And so, and that almost in spite of himself, in his darkest hour, standing up before Justice Oberwaltzer and listening first to a brief recital of his charge and trial (which was pronounced by Oberwaltzer to have been fair and impartial), then to the customary: "Have you any cause which shows why the judgment of death should not now be pronounced against you according to law?"—to which and to the astonishment of his mother and the auditors (if not Jephson, who had advised and urged him so to do), Clyde now in a clear and firm voice replied:

"I am innocent of the crime as charged in the indictment. I

never killed Roberta Alden and therefore I think this sentence should not be passed."

And then staring straight before him conscious only of the look of admiration and love turned on him by his mother. For had not her son now declared himself, here at this fatal moment, before all these people? And his word here, if not in that jail, would be true, would it not? Then her son was not guilty. He was not. He was not. Praised be the name of the Lord in the highest. And deciding to make a great point of this in her dispatch—so as to get it in all the papers, and in her lecture afterwards.

However, Oberwaltzer, without the faintest sign of surprise or perturbation, now continued: "Is there anything else you care to say?"

"No," replied Clyde, after a moment's hesitation.

"Clyde Griffiths," then concluded Oberwaltzer, "the judgment of the Court is that you, Clyde Griffiths, for the murder in the first degree of one, Roberta Alden, whereof you are convicted, be, and you are hereby sentenced to the punishment of death; and it is ordered that, within ten days after this day's session of Court, the Sheriff of this county of Cataraqui deliver you, together with the warrant of this Court, to the Agent and Warden of the State Prison of the State of New York at Auburn, where you shall be kept in solitary confinement until the week beginning Monday the 28th day of January, 19—, and, upon some day within the week so appointed, the said Agent and Warden of the State Prison of the State of New York at Auburn is commended to do execution upon you, Clyde Griffiths, in the mode and manner prescribed by the laws of the State of New York."

And that done, a smile from Mrs. Griffiths to her boy and an answering smile from Clyde to her. For since he had announced that he was not guilty—*here*—her spirit had risen in the face of this sentence. He was really innocent,—he must be, since he had declared it here. And Clyde because of her smile saying to himself, his mother believed in him now. She had not been swayed by all the evidence against him. And this faith, mistaken or not, was now so sustaining—so needed. What he had just said was true as he now saw it. He had not struck Roberta. That *was* true. And therefore he was not guilty. Yet Kraut and Slack were once more seizing him and escorting him to the cell.

Immediately thereafter his mother seating herself at a press

table proceeded to explain to contiguous press representatives now curiously gathering about her: "You mustn't think too badly of me, you gentlemen of the papers. I don't know much about this but it is the only way I could think of to be with my boy. I couldn't have come otherwise." And then one lanky correspondent stepping up to say: "Don't worry, mother. Is there any way I can help you? Want me to straighten out what you want to say? I'll be glad to." And then sitting down beside her and proceeding to help her arrange her impressions in the form in which he assumed her Denver paper might like them. And others as well offering to do anything they could—and all greatly moved.

Two days later, the proper commitment papers having been prepared and his mother notified of the change but not permitted to accompany him, Clyde was removed to Auburn, the western penitentiary of the State of New York, where in the "death house" or "Murderers' Row," as it was called—as gloomy and torturesome an inferno as one could imagine any human compelled to endure—a combination of some twenty-two cells on two separate levels—he was to be restrained until ordered retried or executed.

Yet as he traveled from Bridgeburg to this place, impressive crowds at every station—young and old—men, women and children—all seeking a glimpse of the astonishingly youthly slayer. And girls and women, under the guise of kindly interest, but which, at best, spelled little more than a desire to achieve a facile intimacy with this daring and romantic, if unfortunate figure, throwing him a flower here and there and calling to him gayly and loudly as the train moved out from one station or another: "Hello, Clyde! Hope to see you soon again. Don't stay too long down there." "If you take an appeal, you're sure to be acquitted. We hope so, anyhow."

And with Clyde not a little astonished and later even heartened by this seemingly favorable discrepancy between the attitude of the crowds in Bridgeburg and this sudden, morbid, feverish and even hectic curiosity here, bowing and smiling and even waving with his hand. Yet thinking, none the less, "I am on the way to the death house and they can be so friendly. It is a wonder they dare." And with Kraut and Sissell, his guards, because of the distinction and notoriety of being both his captors and jailors, as well also because of these unusual attentions from passengers on the train and individuals in these throngs without being themselves flattered and ennobled.

But after this one brief colorful flight in the open since his

arrest, past these waiting throngs and over winter sun-lit fields and hills of snow that reminded him of Lycurgus, Sondra, Roberta, and all that he had so kaleidoscopically and fatally known in the twenty months just past, the gray and restraining walls of Auburn itself—with, once he was presented to a clerk in the warden's office and his name and crime entered in the books—himself assigned to two assistants, who saw to it that he was given a prison bath and hair cut—all the wavy, black hair he so much admired cut away—a prison-striped uniform and hideous cap of the same material, prison underwear and heavy gray felt shoes to quiet the restless prison tread in which in time he might indulge, together with the number, 77221.

And so accoutered, immediately transferred to the death house proper, where in a cell on the ground floor he was now locked—a squarish light clean space, eight by ten feet in size and fitted with sanitary plumbing as well as a cot bed, a table, a chair and a small rack for books. And here then, while he barely sensed that there were other cells about him—ranging up and down a wide hall—he first stood—and then seated himself—now no longer buoyed by the more intimate and sociable life of the jail at Bridgeburg—or those strange throngs and scenes that had punctuated his trip here.

The hectic tensity and misery of these hours! That sentence to die; that trip with all those people calling to him; that cutting of his hair downstairs in that prison barber shop—and by a convict; the suit and underwear that was now his and that he now had on. There was no mirror here—or anywhere,—but no matter—he could feel how he looked. This baggy coat and trousers and this striped cap. He threw it hopelessly to the floor. For but an hour before he had been clothed in a decent suit and shirt and tie and shoes, and his appearance had been neat and pleasing as he himself had thought as he left Bridgeburg. But now—how must he look? And to-morrow his mother would be coming—and later Jephson or Belknap, maybe. God!

But worse—there, in that cell directly opposite him, a sallow and emaciated and sinister-looking Chinaman in a suit exactly like his own, who had come to the bars of his door and was looking at him out of inscrutable slant eyes, but as immediately turning and scratching himself—vermin, maybe, as Clyde immediately feared. There had been bedbugs at Bridgeburg.

A Chinese murderer. For was not this the death house? But as good as himself here. And with a garb like his own. Thank God visitors were probably not many. He had heard

from his mother that scarcely any were allowed—that only she and Belknap and Jephson and any minister he chose might come once a week. But now these hard, white-painted walls brightly lighted by wide unobstructed skylights by day as he could see—by incandescent lamps in the hall without at night—yet all so different from Bridgeburg,—so much more bright or harsh illuminatively. For there, the jail being old, the walls were a gray-brown, and not very clean—the cells larger, the furnishings more numerous—a table with a cloth on it at times, books, papers, a chess- and checker-board—whereas here—here was nothing, these hard narrow walls—the iron bars rising to a heavy solid ceiling above—and that very, very heavy iron door which yet—like the one at Bridgeburg, had a small hole through which food would be passed, of course.

But just then a voice from somewhere:

"Hey! we got a new one wid us, fellers! Ground tier, second cell, east." And then a second voice: "You don't say. Wot's he like?" And a third: "Wot's yer name, new man? Don't be scared. You ain't no worse off than the rest of us." And then the first voice, answering number two: "Kinda tall and skinny. A kid. Looks a little like mamma's boy, but not bad at dat. Hey, you! Tell us your name!"

And Clyde, amazed and dumb and pondering. For how was one to take such an introduction as this? What to say—what to do? Should he be friendly with these men? Yet, his instinct for tact prompting him even here to reply, most courteously and promptly: "Clyde Griffiths." And one of the first voices continuing: "Oh, sure! We know who you are. Welcome, Griffiths. We ain't as bad as we sound. We been readin' a lot about you, up dere in Bridgeburg. We thought you'd be along pretty soon now." And another voice: "You don't want to be too down. It ain't so worse here. At least de place is all right—a roof over your head, as dey say." And then a laugh from somewhere.

But Clyde, too horrified and sickened for words, was sadly gazing at the walls and door, then over at the Chinaman, who, silent at his door, was once more gazing at him. Horrible! Horrible! And they talked to each other like that, and to a stranger among them so familiarly. No thought for his wretchedness, his strangeness, his timidity—the horror he must be suffering. But why should a murderer seem timid to any one, perhaps, or miserable? Worst of all they had been speculating *here* as to how long it would be before he would be along which meant that everything concerning him was known here. Would they nag—or bully—

or make trouble for one unless one did just as they wished? If Sondra, or any one of all the people he had known, should see or even dream of him as he was here now . . . God!—And his own mother was coming to-morrow.

And then an hour later, now evening, a tall, cadaverous guard in a more pleasing uniform, putting an iron tray with food on it through that hole in the door. Food! And for him here. And that sallow, rickety Chinaman over the way taking his. Whom had he murdered? How? And then the savage scraping of iron trays in the various cells! Sounds that reminded him more of hungry animals being fed than men. And some of these men were actually talking as they ate and scraped. It sickened him.

"Gee! It's a wonder them guys in the mush gallery couldn't think of somepin else besides cold beans and fried potatoes and coffee."

"The coffee to-night . . . oh, boy! . . . Now in the jail at Buffalo—though . . ."

"Oh, cut it out," came from another corner. "We've heard enough about the jail at Buffalo and your swell chow. You don't show any afternoon tea appetite around here, I notice."

"Just the same," continued the first voice, "as I look back on't now, it musta been pretty good. Dat's a way it seems, anyhow, now."

"Oh, Rafferty, do let up," called still another.

And then, presumably "Rafferty" once more, who said: "Now, I'll just take a little siesta after dis—and den I'll call me chauffeur and go for a little spin. De air to-night must be fine."

Then from still another hoarse voice: "Oh, you with your sick imagination. Say, I'd give me life for a smoker. And den a good game of cards."

"Do they play cards here?" thought Clyde.

"I suppose since Rosenstein was defeated for mayor here he won't play."

"Won't he, though?" This presumably from Rosenstein.

To Clyde's left, in the cell next to him, a voice, to a passing guard, low and yet distinctly audible: "Psst! Any word from Albany yet?"

"No word, Herman."

"And no letter, I suppose."

"No letter."

The voice was very strained, very tense, very miserable, and after this, silence.

A moment later, from another cell farther off, a voice from the lowest hell to which a soul can descend—complete and un-

utterable despair—"Oh, my God! Oh, my God! Oh, my God!"

And then from the tier above another voice: "Oh, Jesus! Is that farmer going to begin again? I can't stand it. Guard! Guard! Can't you get some dope for that guy?"

Once more the voice from the lowest: "Oh, my God! Oh, my God! Oh, my God!"

Clyde was up, his fingers clinched. His nerves were as taut as cords about to snap. A murderer! And about to die, perhaps. Or grieving over some terrible thing like his own fate. Moaning—as he in spirit at least had so often moaned there in Bridgeburg. Crying like that! God! And there must be others!

And day after day and night after night more of this, no doubt, until, maybe—who could tell—unless. But, oh, no! Oh, no! Not himself—not that—not his day. Oh, no. A whole year must elapse before that could possibly happen—or so Jephson had said. Maybe two. But, at that—! . . . in two years!!! He found himself stricken with an ague because of the thought that even in so brief a time as two years. . . .

That other room! It was in here somewhere too. This room was connected with it. He knew that. There was a door. It led to that chair. *That chair.*

And then the voice again, as before, "Oh, my God! Oh, my God!"

He sank to his couch and covered his ears with his hands.

CHAPTER XXIX

THE "death house" in this particular prison was one of those crass erections and maintenances of human insensitiveness and stupidity principally for which no one primarily was really responsible. Indeed, its total plan and procedure were the results of a series of primary legislative enactments, followed by decisions and compulsions as devised by the temperaments and seeming necessities of various wardens, until at last—by degrees and without anything worthy of the name of thinking on any one's part—there had been gathered and was now being enforced all that could possibly be imagined in the way of unnecessary and really unauthorized cruelty or stupid and destructive torture. And to the end that a man, once condemned by a jury, would be compelled to suffer not alone the death for which his sentence called, but a thousand others before that. For the very room by its arrangement, as well as the rules governing the lives and actions of the inmates, was sufficient to bring about this torture, willy-nilly.

It was a room thirty by forty feet, of stone and concrete and steel, and surmounted some thirty feet from the floor by a skylight. Presumably an improvement over an older and worse death house, with which it was still connected by a door, it was divided lengthwise by a broad passage, along which, on the ground floor, were twelve cells, six on a side and eight by ten each and facing each other. And above again a second tier of what were known as balcony cells—five on a side.

There was, however, at the center of this main passage—and dividing these lower cells equally as to number—a second and narrower passage, which at one end gave into what was now known as the Old Death House (where at present only visitors to the inmates of the new Death House were received), and at the other into the execution room in which stood the electric chair. Two of the cells on the lower passage—those at the junction of the narrower passage—faced the execution-room door. The two opposite these, on the corresponding corners, faced the passage that gave into the old Death House or what now by a large stretch of the imagination, could be called the condemned

men's reception room, where twice weekly an immediate relative or a lawyer might be met. But no others.

In the Old Death House (or present reception room), the cells still there, and an integral part of this reception plan, were all in a row and on one side only of a corridor, thus preventing prying inspection by one inmate of another, and with a wire screen in front as well as green shades which might be drawn in front of each cell. For, in an older day, whenever a new convict arrived or departed, or took his daily walk, or went for his bath, or was led eventually through the little iron door to the west where formerly was the execution chamber, these shades were drawn. He was not supposed to be seen by his associates. Yet the old death house, because of this very courtesy and privacy, although intense solitude, was later deemed inhuman and hence this newer and better death house, as the thoughtful and condescending authorities saw it, was devised.

In this, to be sure, were no such small and gloomy cells as those which characterized the old, for there the ceiling was low and the sanitary arrangements wretched, whereas in the new one the ceiling was high, the rooms and corridors brightly lighted and in every instance no less than eight by ten feet in size. But by contrast with the older room, they had the enormous disadvantage of the unscreened if not uncurtained cell doors.

Besides, by housing all together in two such tiers as were here, it placed upon each convict the compulsion of enduring all the horrors of all the vicious, morbid or completely collapsed and despairing temperaments about him. No true privacy of any kind. By day—a blaze of light pouring through an over-arching skylight high above the walls. By night—glistening incandescents of large size and power which flooded each nook and cranny of the various cells. No privacy, no games other than cards and checkers—the only ones playable without releasing the prisoners from their cells. Books, newspapers, to be sure, for all who could read or enjoy them under the circumstances. And visits—mornings and afternoons, as a rule, from a priest, and less regularly from a rabbi and a Protestant minister, each offering his sympathies or services to such as would accept them.

But the curse of the place was not because of these advantages, such as they were, but in spite of them—this unremitted contact, as any one could see, with minds now terrorized and discolored by the thought of an approaching death that was so near for many that it was as an icy hand upon brow or shoulder.

And none—whatever the bravado—capable of enduring it without mental or physical deterioration in some form. The glooms—the strains—the indefinable terrors and despairs that blew like winds or breaths about this place and depressed or terrorized all by turns! They were manifest at the most unexpected moments, by curses, sighs, tears even, calls for a song—for God's sake!—or the most unintended and unexpected yells or groans.

Worse yet, and productive of perhaps the most grinding and destroying of all the miseries here—the transverse passage leading between the old death house on the one hand and the execution-chamber on the other. For this from time to time—alas, how frequently—was the scene or stage for at least a part of the tragedy that was here so regularly enacted—the final business of execution.

For through this passage, on his last day, a man was transferred from his *better* cell in the new building, where he might have been incarcerated for so much as a year or two, to one of the older ones in the old death house, in order that he might spend his last hours in solitude, although compelled at the final moment, none-the-less (the death march), to retrace his steps along this narrower cross passage—and where all might see—into the execution chamber at the other end of it.

Also at any time, in going to visit a lawyer or relative brought into the old death house for this purpose, it was necessary to pass along the middle passage to this smaller one and so into the old death house, there to be housed in a cell, fronted by a wire screen two feet distant, between which and the cell proper a guard must sit while a prisoner and his guest (wife, son, mother, daughter, brother, lawyer) should converse—the guard hearing all. No handclasps, no kisses, no friendly touches of any kind—not even an intimate word that a listening guard might not hear. And when the fatal hour for any one had at last arrived, every prisoner—if sinister or simple, sensitive or of rugged texture—was actually if not intentionally compelled to hear if not witness the final preparations—the removal of the condemned man to one of the cells of the older death house, the final and perhaps weeping visit of a mother, son, daughter, father.

No thought in either the planning or the practice of all this of the unnecessary and unfair torture for those who were brought here, not to be promptly executed, by any means, but rather to be held until the higher courts should have passed upon the merits of their cases—an appeal.

At first, of course, Clyde sensed little if anything of all this. In so far as his first day was concerned, he had but tasted the

veriest spoonful of it all. And to lighten or darken his burden his mother came at noon the very next day. Not having been permitted to accompany him, she had waited over for a final conference with Belknap and Jephson, as well as to write in full her personal impressions in connection with her son's departure—(Those nervously searing impressions!) And although anxious to find a room somewhere near the penitentiary, she hurried first to the office of the penitentiary immediately upon her arrival at Auburn and, after presenting an order from Justice Oberwaltzer as well as a solicitous letter from Belknap and Jephson urging the courtesy of a private interview with Clyde to begin with at least, she was permitted to see her son in a room entirely apart from the old death house. For already the warden himself had been reading of her activities and sacrifices and was interested in seeing not only her but Clyde also.

But so shaken was she by Clyde's so sudden and amazingly changed appearance here that she could scarcely speak upon his entrance, even in recognition of him, so blanched and gray were his cheeks and so shadowy and strained his eyes. His head clipped that way! This uniform! And in this dreadful place of iron gates and locks and long passages with uniformed guards at every turn!

For a moment she winced and trembled, quite faint under the strain, although previous to this she had entered many a jail and larger prison—in Kansas City, Chicago, Denver—and delivered tracts and exhortations and proffered her services in connection with anything she might do. But this—this! Her own son! Her broad, strong bosom began to heave. She looked, and then turned her heavy, broad back to hide her face for the nonce. Her lips and chin quivered. She began to fumble in the small bag she carried for her handkerchief at the same time that she was muttering to herself: "My God—why hast thou forsaken me?" But even as she did so there came the thought—no, no, he must not see her so. What a way was this to do—and by her tears weaken him. And yet despite her great strength she could not now cease at once but cried on.

And Clyde seeing this, and despite his previous determination to bear up and say some comforting and heartening word to his mother, now began:

"But you mustn't, Ma. Gee, you mustn't cry. I know it's hard on you. But I'll be all right. Sure, I will. It isn't as bad as I thought." Yet inwardly saying: "Oh, God, how bad!"

And Mrs. Griffiths adding aloud: "My poor boy! My beloved son! But we mustn't give way. No. No. 'Behold, I

will deliver Thee out of the snares of the wicked.' God has not deserted either of us. And He will not—that I know. 'He leadeth me by the still waters.' 'He restoreth my soul.' We must put our trust in Him. Besides," she added, briskly and practically, as much to strengthen herself as Clyde, "haven't I already arranged for an appeal? It is to be made yet this week. They're going to file a notice. And that means that your case can't even be considered under a year. But it is just the shock of seeing you so. You see, I wasn't quite prepared for it." She straightened her shoulders and now looked up and achieved a brave if strained smile. "The warden here seems very kind, but still, somehow, when I saw you just now——"

She dabbed at her eyes which were damp from this sudden and terrific storm, and to divert herself as well as him she talked of the so very necessary work before her. Messrs. Belknap and Jephson had been so encouraging to her just before she left. She had gone to their office and they had urged her and him to be of good cheer. And now she was going to lecture, and at once, and would soon have means to do with that way. Oh, yes. And Mr. Jephson would be down to see him one of these days soon. He was by no means to feel that the legal end of all this had been reached. Far from it. The recent verdict and sentence was sure to be reversed and a new trial ordered. The recent one was a farce, as he knew.

And as for herself—as soon as she found a room near the prison—she was going to the principal ministers of Auburn and see if she could not secure a church, or two, or three, in which to speak and plead his cause. Mr. Jephson was mailing her some information she could use within a day or two. And after that, other churches in Syracuse, Rochester, Albany, Schenectady—in fact many cities in the east—until she had raised the necessary sum. But she would not neglect him. She would see him at least once a week and would write him a letter every other day, or maybe even daily if she could. She would talk to the warden. So he must not despair. She had much hard work ahead of her, of course, but the Lord would guide her in all that she undertook. She knew that. Had He not already shown his gracious and miraculous mercy?

Clyde must pray for her and for himself. Read Isaiah. Read the psalms—the 23rd and the 51st and the 91st daily. Also Habbakuk. "Are there walls against the Hand of the Lord?" And then after more tears, an utterly moving and macerating scene, at last achieving her departure while Clyde, shaken to his soul by so much misery, returned to his cell. His mother. And at

her age—and with so little money—she was going out to try to raise the money necessary to save him. And in the past he had treated her so badly—as he now saw.

He sat down on the side of his cot and held his head in his hands the while outside the prison—the iron door of the same closed and only a lonely room and the ordeal of her proposed lecture tour ahead of her—Mrs. Griffiths paused—by no means so assured or convinced of all she had said to Clyde. To be sure God would aid her. He must. Had He ever failed her yet—completely? And now—here—in her darkest hour,—her son's! Would He?

She paused for a moment a little later in a small parking-place, beyond the prison, to stare at the tall, gray walls, the watch towers with armed guards in uniform, the barred windows and doors. A penitentiary. And her son was now within—worse yet, in that confined and narrow death house. And doomed to die in an electric chair. Unless—unless—— But, no, no—that should not be. It could not be. That appeal. The money for it. She must busy herself as to that at once—not think or brood or despair. Oh, no. "My shield and my buckler." "My Light and my Strength." "Oh, Lord, Thou art my strength and my deliverance. In Thee will I trust." And then dabbing at her eyes once more and adding: "Oh, Lord, I believe. Help Thou mine unbelief."

So Mrs. Griffiths, alternately praying and crying as she walked.

CHAPTER XXX

BUT after this the long days in prison for Clyde. Except for a weekly visit from his mother, who, once she was entered upon her work, found it difficult to see him more often than that—traveling as she did in the next two months between Albany and Buffalo and even New York City—but without the success she had at first hoped for. For in the matter of her appeal to the churches and the public—as most wearily (and in secret if not to Clyde)—and after three weeks of more or less regional and purely sectarian trying, she was compelled to report the Christians at least were very indifferent—not as Christian as they should be. For as all, but more particularly the ministers of the region, since they most guardedly and reservedly represented their congregations in every instance, unanimously saw it, here was a notorious and, of course, most unsavory trial which had resulted in a conviction with which the more conservative element of the country—if one could judge by the papers at least, were in agreement.

Besides who was this woman—as well as her son? An exhorter—a secret preacher—one, who in defiance of all the tenets and processes of organized and historic, as well as hieratic, religious powers and forms (theological seminaries, organized churches and their affiliations and product—all carefully and advisedly and legitimately because historically and dogmatically interpreting the word of God) choosing to walk forth and without ordination after any fashion conduct an unauthorized and hence nondescript mission. Besides if she had remained at home, as a good mother should, and devoted herself to her son, as well as to her other children—their care and education—would this—have happened?

And not only that—but according to Clyde's own testimony in this trial, had he not been guilty of adultery with this girl—whether he had slain her or not? A sin almost equal to murder in many minds. Had he not confessed it? And was an appeal for a convicted adulterer—if not murderer (who could tell as to that?) to be made in a church? No,—no Christian church was the place to debate, and for a charge, the merits of this case, however much each Christian of each and every church might sympa-

thize with Mrs. Griffiths personally—or resent any legal injustice that might have been done her son. No, no. It was not morally advisable. It might even tend to implant in the minds of the young some of the details of the crime.

Besides, because of what the newspapers had said of her coming east to aid her son and the picture that she herself presented in her homely garb, it was assumed by most ministers that she was one of those erratic persons, not a constituent of any definite sect, or schooled theology, who tended by her very appearance to cast contempt on true and pure religion.

And in consequence, each in turn—not hardening his heart exactly—but thinking twice—and deciding no—there must be some better way—less troublesome to Christians,—a public hall, perhaps, to which Christians, if properly appealed to through the press, might well repair. And so Mrs. Griffiths, in all but one instance, rejected in that fashion and told to go elsewhere—while in regard to the Catholics—instinctively—because of prejudice—as well as a certain dull wisdom not inconsistent with the facts—she failed even to so much as think of them. The mercies of Christ as interpreted by the holder of the sacred keys of St. Peter, as she knew, were not for those who failed to acknowledge the authority of the Vicar of Christ.

And therefore after many days spent in futile knockings here and there she was at last compelled—and in no little depression, to appeal to a Jew who controlled the principal moving picture theater of Utica—a sinful theater. And from him, this she secured free for a morning address on the merits of her son's case—"A mother's appeal for her son," it was entitled—which netted her, at twenty-five cents per person—the amazing sum of two hundred dollars. At first this sum, small as it was, so heartened her that she was now convinced that soon—whatever the attitude of the orthodox Christians—she would earn enough for Clyde's appeal. It might take time—but she would.

Nevertheless, as she soon discovered, there were other factors to be considered—carfare, her own personal expenses in Utica and elsewhere, to say nothing of certain very necessary sums to be sent to Denver to her husband, who had little or nothing to go on at present, and who, because of this very great tragedy in the family, had been made ill—so ill indeed that the letters from Frank and Julia were becoming very disturbing. It was possible that he might not get well at all. Some help was necessary there.

And in consequence, in addition to paying her own expenses here, Mrs. Griffiths was literally compelled to deduct other reducing sums from this, her present and only source of income.

It was terrible—considering Clyde's predicament—but nevertheless must she not sustain herself in every way in order to win to victory? She could not reasonably abandon her husband in order to aid Clyde alone.

Yet in the face of this—as time went on, the audiences growing smaller and smaller until at last they constituted little more than a handful—and barely paying her expenses—although through this process none-the-less she finally managed to put aside —over and above all her expenses—eleven hundred dollars.

Yet, also, just at this time, and in a moment of extreme anxiety, Frank and Julia wiring her that if she desired to see Asa again she had better come home at once. He was exceedingly low and not expected to live. Whereupon, played upon by these several difficulties and there being no single thing other than to visit him once or twice a week—as her engagements permitted—which she could do for Clyde, she now hastily conferred with Belknap and Jephson, setting forth her extreme difficulties.

And these, seeing that eleven hundred dollars of all she had thus far collected was to be turned over to them, now, in a burst of humanity, advised her to return to her husband. Decidedly Clyde would do well enough for the present seeing that there was an entire year—or at least ten months before it was necessary to file the record and the briefs in the case. In addition another year assuredly must elapse before a decision could be reached. And no doubt before that time the additional part of the appeal fee could be raised. Or, if not—well, then—anyhow (seeing how worn and distrait she was at this time) she need not worry. Messrs. Belknap and Jephson would see to it that her son's interests were properly protected. They would file an appeal and make an argument—and do whatever else was necessary to insure her son a fair hearing at the proper time.

And with that great burden off her mind—and two last visits to Clyde in which she assured him of her determination to return as speedily as possible—once Asa was restored to strength again and she could see her way to financing such a return—she now departed only to find that, once she was in Denver once more, it was not so easy to restore him by any means.

And in the meantime Clyde was left to cogitate on and make the best of a world that at its best was a kind of inferno of mental ills—above which—as above Dante's might have been written—"abandon hope—ye who enter here."

The somberness of it. Its slow and yet searing psychic force! The obvious terror and depression—constant and unshakeable of those who, in spite of all their courage or their fears, their

bravado or their real indifference (there were even those) were still compelled to think and wait. For, now, in connection with this coldest and bitterest form of prison life he was in constant psychic, if not physical contact, with twenty other convicted characters of varying temperaments and nationalities, each one of whom, like himself, had responded to some heat or lust or misery of his nature or his circumstances. And with murder, a mental as well as physical explosion, as the final outcome or concluding episode which, being detected, and after what horrors and wearinesses of mental as well as legal contest and failure, such as fairly paralleled his own, now found themselves islanded—immured—in one or another of these twenty-two iron cages and awaiting—awaiting what?

How well they knew. And how well he knew. And here with what loud public rages and despairs or prayers—at times. At others—what curses—foul or coarse jests—or tales addressed to all—or ribald laughter—or sighings and groanings in these later hours when the straining spirit having struggled to silence, there was supposedly rest for the body and the spirit.

In an exercise court, beyond the farthermost end of the long corridor, twice daily, for a few minutes each time, between the hours of ten and five—the various inmates in groups of five or six were led forth—to breathe, to walk, to practice calisthenics—or run and leap as they chose. But always under the watchful eyes of sufficient guards to master them in case they attempted rebellion in any form. And to this it was, beginning with the second day, that Clyde himself was led, now with one set of men and now with another. But with the feeling at first strong in him that he could not share in any of these public activities which, nevertheless, these others—and in spite of their impending doom —seemed willing enough to indulge in.

The two dark-eyed sinister-looking Italians, one of whom had slain a girl because she would not marry him; the other who had robbed and then slain and attempted to burn the body of his father-in-law in order to get money for himself and his wife! And big Larry Donahue—square-headed, square-shouldered—big of feet and hands, an overseas soldier, who, being ejected from a job as night watchman in a Brooklyn factory, had lain for the foreman who had discharged him—and then killed him on an open common somewhere at night, but without the skill to keep from losing a service medal which had eventually served to betray and identify him. Clyde had learned all this from the strangely indifferent and non-committal, yet seemingly friendly guards, who were over these cells by night and by day—

two and two, turn about—who relieved each other every eight hours. And police officer Riordan of Rochester, who had killed his wife because she was determined to leave him—and now, himself, was to die. And Thomas Mowrer, the young "farmer" or farm hand, as he really was, whom Clyde on his first night had heard moaning—a man who had killed his employer with a pitchfork—and was soon to die now—as Clyde heard, and who walked and walked, keeping close to the wall—his head down, his hands behind his back—a rude, strong, loutish man of about thirty, who looked more beaten and betrayed than as though he had been able to torture or destroy another. Clyde wondered about him—his real guilt.

Again Miller Nicholson, a lawyer of Buffalo of perhaps forty years of age who was tall and slim and decidedly superior looking—a refined, intellectual type, one you would have said was no murderer—any more than Clyde—to look at, who, none-theless was convicted of poisoning an old man of great wealth and afterwards attempting to convert his fortune to his own use. Yet decidedly with nothing in his look or manner, as Clyde felt, at least, which marked him as one so evil—a polite and courteous man, who, noting Clyde on the very first morning of his arrival here, approached and said: "Scared?" But in the most gentle and solicitous tone, as Clyde could hear and feel, even though he stood blank and icy—afraid almost to move—or think. Yet in this mood—and because he felt so truly done for, replying: "Yes, I guess I am." But once it was out, wondering why he had said it (so weak a confession) and afterwards something in the man heartening him, wishing that he had not.

"Your name's Griffiths, isn't it?"

"Yes."

"Well, my name's Nicholson. Don't be frightened. You'll get used to it." He achieved a cheerful, if wan smile. But his eyes—they did not seem like that—no smile there.

"I don't suppose I'm so scared either," replied Clyde, trying to modify his first, quick and unintended confession.

"Well, that's good. Be game. We all have to be here—or the whole place would go crazy. Better breathe a little. Or walk fast. It'll do you good."

He moved away a few paces and began exercising his arms while Clyde stood there, saying—almost loudly—so shaken was he still: "We all have to be or the whole place would go crazy." That was true, as he could see and feel after that first night. Crazy, indeed. Tortured to death, maybe, by being compelled to witness these terrible and completely destroying—and for

each—impending tragedies. But how long would he have to endure this? How long could he?

In the course of a day or two, again he found this death house was not quite like that either—not all terror—on the surface at least. It was in reality—and in spite of impending death in every instance, a place of taunt and jibe and jest—even games, arguments on every conceivable topic from death and women to athletics, the stage—all forms of human contest of skill—or the lack of it, as far at least as the general low intelligence of the group permitted.

For the most part, as soon as breakfast was over—among those who were not called upon to join the first group for exercise, there were checkers or cards, two games that were played—not with a single set of checkers or a deck of cards between groups released from their cells, but by one of the ever present keepers providing two challenging prisoners (if it were checkers) with one checker-board but no checkers. They were not needed. Thereafter the opening move was called by one. "I move from F 2 to E 1"—each square being numbered—each side lettered. The moves checked with a pencil.

Thereafter the second party—having recorded this move on his own board and having studied the effect of it on his own general position, would call: "I move from E 7 to F 5." If more of those present decided to join in this—either on one side or the other, additional boards and pencils were passed to each signifying his desire. Then Shorty Bristol, desiring to aid "Dutch" Swighort, three cells down, might call: "I wouldn't do that, Dutch. Wait a minute, there's a better move than that." And so on with taunts, oaths, laughter, arguments, according to the varying fortunes and difficulties of the game. And so, too, with cards. These were played with each man locked in his cell, yet quite as successfully.

But Clyde did not care for cards—or for these jibing and coarse hours of conversation. There was for him—and with the exception of the speech of one—Nicholson—alone, too much ribald and even brutal talk which he could not appreciate. But he was drawn to Nicholson. He was beginning to think after a time—a few days—that this lawyer—his presence and companionship during the exercise hour—whenever they chanced to be in the same set—could help him to endure this. He was the most intelligent and respectable man here. The others were all so different—taciturn at times—and for the most part so sinister, crude or remote.

But then and that not more than a week after his coming here—and when, because of his interest in Nicholson, he was begin-

ning to feel slightly sustained at least—the execution of Pasquale Cutrone, of Brooklyn, an Italian, convicted of the slaying of his brother for attempting to seduce his wife. He had one of the cells nearest the transverse passage, so Clyde learned after arriving, and had in part lost his mind from worrying. At any rate he was invariably left in his cell when the others—in groups of six—were taken for exercise. But the horror of his emaciated face, as Clyde passed and occasionally looked in—a face divided into three grim panels by two gutters or prison lines of misery that led from the eyes to the corners of the mouth.

Beginning with his, Clyde's, arrival, as he learned, Pasquale had begun to pray night and day. For already, before that, he had been notified of the approximate date of his death which was to be within the week. And after that he was given to crawling up and down his cell on his hands and knees, kissing the floor, licking the feet of a brass Christ on a cross that had been given him. Also he was repeatedly visited by an Italian brother and sister fresh from Italy and for whose benefit at certain hours, he was removed to the old death house. But as all now whispered, Pasquale was mentally beyond any help that might lie in brothers or sisters.

All night long and all day long, when they were not present, he did this crawling to and fro and praying, and those who were awake and trying to read to pass the time, were compelled to listen to his mumbled prayers, the click of the beads of a rosary on which he was numbering numberless Our Fathers and Hail Marys.

And though there were voices which occasionally said: "Oh, for Christ's sake—if he would only sleep a little"—still on, on. And the tap of his forehead on the floor—in prayer, until at last the fatal day preceding the one on which he was to die, when Pasquale was taken from his cell here and escorted to another in the old death house beyond and where, before the following morning, as Clyde later learned, last farewells, if any, were to be said. Also he was to be allowed a few hours in which to prepare his soul for his maker.

But throughout that night what a strange condition was this that settled upon all who were of this fatal room. Few ate any supper as the departing trays showed. There was silence—and after that mumbled prayers on the part of some—not so greatly removed by time from Pasquale's fate, as they knew. One Italian, sentenced for the murder of a bank watchman, became hysterical, screamed, hashed the chair and table of his cell against the bars of his door, tore the sheets of his bed to shreds

and even sought to strangle himself before eventually he was overpowered and removed to a cell in a different part of the building to be observed as to his sanity.

As for the others, throughout this excitement, one could hear them walking and mumbling or calling to the guards to do something. And as for Clyde, never having experienced or imagined such a scene, he was literally shivering with fear and horror. All through the last night of this man's life he lay on his pallet, chasing phantoms. So this was what death was like here; men cried, prayed, they lost their minds—yet the deadly process was in no way halted, for all their terror. Instead, at ten o'clock and in order to quiet all those who were left, a cold lunch was brought in and offered—but with none eating save the Chinaman over the way.

And then at four the following morning—the keepers in charge of the deadly work coming silently along the main passage and drawing the heavy green curtains with which the cells were equipped so that none might see the fatal procession which was yet to return along the transverse passage from the old death house to the execution room. And yet with Clyde and all the others waking and sitting up at the sound.

It was here, the execution! The hour of death was at hand. This was the signal. In their separate cells, many of those who through fear or contrition, or because of innate religious convictions, had been recalled to some form of shielding or comforting faith, were upon their knees praying. Among the rest were others who merely walked or muttered. And still others who screamed from time to time in an incontrollable fever of terror.

As for Clyde he was numb and dumb. Almost thoughtless. They were going to kill that man in that other room in there. That chair—that chair that he had so greatly feared this long while was in there—was so close now. Yet his time as Jephson and his mother had told him was so long and distant as yet—if ever—ever it was to be—if ever—ever——

But now other sounds. Certain walkings to and fro. A cell door clanking somewhere. Then plainly the door leading from the old death house into this room opening—for there was a voice —several voices indistinct as yet. Then another voice a little clearer as if some one praying. That tell-tale shuffling of feet as a procession moved across and through that passage. "Lord have mercy. Christ have mercy."

"Mary, Mother of Grace, Mary, Mother of Mercy, St. Michael, pray for me; my good Angel, pray for me."

"Holy Mary, pray for me; St. Joseph, pray for me. St. Ambrose, pray for me; all ye saints and angels, pray for me."

"St. Michael, pray for me; my good Angel, pray for me."

It was the voice of the priest accompanying the doomed man and reciting a litany. Yet he was no longer in his right mind they said. And yet was not that his voice mumbling too? It was. Clyde could tell. He had heard it too much recently. And now that other door would be opened. He would be looking through it—this condemned man—so soon to be dead—at it—seeing it—that cap—those straps. Oh, he knew all about those by now though they should never come to be put upon him, maybe.

"Good-by, Cutrone!" It was a hoarse, shaky voice from some near-by cell—Clyde could not tell which. "Go to a better world than this." And then other voices: "Good-by, Cutrone. God keep you—even though you can't talk English."

The procession had passed. That door was shut. He was in there now. They were strapping him in, no doubt. Asking him what more he had to say—he who was no longer quite right in his mind. Now the straps must be fastened on, surely. The cap pulled down. In a moment, a moment, surely——

And then, although Clyde did not know or notice at the moment—a sudden dimming of the lights in this room—as well as over the prison—an idiotic or thoughtless result of having one electric system to supply the death voltage and the incandescence of this and all other rooms. And instantly a voice calling:

"There she goes. That's one. Well, it's all over with him."

And a second voice: "Yes, he's topped off, poor devil."

And then after the lapse of a minute perhaps, a second dimming lasting for thirty seconds—and finally a third dimming.

"There—sure—that's the end now."

"Yes. He knows what's on the other side now."

Thereafter silence—a deadly hush with later some murmured prayers here and there. But with Clyde cold and with a kind of shaking ague. He dared not think—let alone cry. So that's how it was. They drew the curtains. And then—and then. He was gone now. Those three dimmings of the lights. Sure, those were the flashes. And after all those nights at prayer. Those moanings! Those beatings of his head! And only a minute ago he had been alive—walking by there. But now dead. And some day he—he!—how could he be sure that he would not? How could he?

He shook and shook, lying on his couch, face down. The keepers came and ran up the curtains—as sure and secure in

their lives apparently as though there was no death in the world. And afterwards he could hear them talking—not to him so much—he had proved too reticent thus far—but to some of the others.

Poor Pasquale. This whole business of the death penalty was all wrong. The warden thought so. So did they. He was working to have it abolished.

But that man! His prayers! And now he was gone. His cell over there was empty and another man would be put in it —to go too, later. Some one—many—like Cutrone, like himself—had been in this one—on this pallet. He sat up—moved to the chair. But he—they—had sat on that—too. He stood up—only to sink down on the pallet again. "God! God! God! God!" he now exclaimed to himself—but not aloud—and yet not unlike that other man who had so terrorized him on the night of his arrival here and who was still here. But he would go too. And all of these others—and himself maybe—unless—unless——

He had seen his first man die.

CHAPTER XXXI

IN the meantime, however, Asa's condition had remained serious, and it was four entire months before it was possible for him to sit up again or for Mrs. Griffiths to dream of resuming her lecturing scheme. But by that time, public interest in her and her son's fate was considerably reduced. No Denver paper was interested to finance her return for anything she could do for them. And as for the public in the vicinity of the crime, it remembered Mrs. Griffiths and her son most clearly, and in so far as she was concerned, sympathetically—but only, on the other hand, to think of him as one who probably was guilty and in that case, being properly punished for his crime—that it would be as well if an appeal were not taken—or—if it were—that it be refused. These guilty criminals with their interminable appeals!

And with Clyde where he was, more and more executions—although as he found—and to his invariable horror, no one ever became used to such things there; farmhand Mowrer for the slaying of his former employer; officer Riordan for the slaying of his wife—and a fine upstanding officer too but a minute before his death; and afterwards, within the month, the going of the Chinaman, who seemed, for some reason, to endure a long time (and without a word in parting to any one—although it was well known that he spoke a few words of English). And after him Larry Donahue, the overseas soldier—with a grand call—just before the door closed behind: "Good-by, boys. Good luck."

And after him again—but, oh—that was so hard; so much closer to Clyde—so depleting to his strength to think of bearing this deadly life here without—Miller Nicholson—no less. For after five months in which they had been able to walk and talk and call to each other from time to time from their cells—and Nicholson had begun to advise him as to books to read—as well as one important point in connection with his own case—on appeal—or in the event of any second trial, i.e., —that the admission of Roberta's letters as evidence, as they stood, at least, be desperately fought on the ground that the

emotional force of them was detrimental in the case of any jury anywhere, to a calm unbiased consideration of the material facts presented by them—and that instead of the letters being admitted as they stood they should be digested for the facts alone and that digest—and that only offered to the jury. "If your lawyers can get the Court of Appeals to agree to the soundness of that you will win your case sure."

And Clyde at once, after inducing a personal visit on the part of Jephson, laying this suggestion before him and hearing him say that it was sound and that he and Belknap would assuredly incorporate it in their appeal.

Yet not so long after that the guard, after locking his door on returning from the courtyard whispered, with a nod in the direction of Nicholson's cell, "His next. Did he tell you? Within three days."

And at once Clyde shriveling—the news playing upon him as an icy and congealing breath. For he had just come from the courtyard with him where they had walked and talked of another man who had just been brought in—a Hungarian of Utica who was convicted of burning his paramour—in a furnace—then confessing it—a huge, rough, dark, ignorant man with a face like a gargoyle. And Nicholson saying he was more animal than man, he was sure. Yet no word about himself. And in *three days!* And he could walk and talk as though there was nothing to happen, although, according to the guard, he had been notified the night before.

And the next day the same—walking and talking as though nothing had happened—looking up at the sky and breathing the air. Yet Clyde, his companion, too sick and feverish—too awed and terrified from merely thinking on it all night to be able to say much of anything as he walked but thinking: "And he can walk here. And be so calm. What sort of a man is this?" and feeling enormously overawed and weakened.

The following morning Nicholson did not appear—but remained in his cell destroying many letters he had received from many places. And near noon, calling to Clyde who was two cells removed from him on the other side: "I'm sending you something to remember me by." But not a word as to his going.

And then the guard bringing two books—Robinson Crusoe and the Arabian Nights. That night Nicholson's removal from his cell—and the next morning before dawn the curtains; the same procession passing through, which was by now an old story

to Clyde. But somehow this was so different—so intimate—so cruel. And as he passed, calling: "God bless you all. I hope you have good luck and get out." And then that terrible stillness that followed the passing of each man.

And Clyde thereafter—lonely—terribly so. Now there was no one here—no one—in whom he was interested. He could only sit and read—and think—or pretend to be interested in what these others said, for he could not really be interested in what they said. His was a mind that, freed from the miseries that had now befallen him, was naturally more drawn to romance than to reality. Where he read at all he preferred the light, romantic novel that pictured some such world as he would have liked to share, to anything that even approximated the hard reality of the world without, let alone this. Now what was going to become of him eventually? So alone was he! Only letters from his mother, brother and sisters. And Asa getting no better, and his mother not able to return as yet—things were so difficult there in Denver. She was seeking a religious school in which to teach somewhere—while nursing Asa. But she was asking the Rev. Duncan McMillan, a young minister whom she had encountered in Syracuse, in the course of her work there, to come and see him. He was so spiritual and so kindly. And she was sure, if he would but come, that Clyde would find him a helpful and a strong support in these, his dark and weary hours when she could no longer be with him herself.

For while Mrs. Griffiths was first canvassing the churches and ministers of this section for aid for her son, and getting very little from any quarter, she had met the Rev. Duncan McMillan in Syracuse, where he was conducting an independent, non-sectarian church. He was a young, and like herself or Asa, unordained minister or evangelist of, however, far stronger and more effective temperament religiously. At the time Mrs. Griffiths appeared on the scene, he had already read much concerning Clyde and Roberta—and was fairly well satisfied that, by the verdict arrived at, justice had probably been done. However, because of her great sorrow and troubled search for aid he was greatly moved.

He, himself, was a devoted son. And possessing a highly poetic and emotional though so far repressed or sublimated sex nature, he was one who, out of many in this northern region, had been touched and stirred by the crime of which Clyde was presumed to be guilty. Those highly emotional and tortured letters of Roberta's! Her seemingly sad life at Lycurgus and Biltz! How often he had thought of those before ever he

had encountered Mrs. Griffiths. The simple and worthy virtues which Roberta and her family had seemingly represented in that romantic, pretty country world from which they had derived. Unquestionably Clyde was guilty. And yet here, suddenly, Mrs. Griffiths, very lorn and miserable and maintaining her son's innocence. At the same time there was Clyde in his cell doomed to die. Was it possible that by any strange freak or circumstance—a legal mistake had been made and Clyde was not as guilty as he appeared?

The temperament of McMillan was exceptional—tense, exotic. A present hour St. Bernard, Savonarola, St. Simeon, Peter the Hermit. Thinking of life, thought, all forms and social structures as the word, the expression, the breath of God. No less. Yet room for the Devil and his anger—the expelled Lucifer—going to and fro in the earth. Yet, thinking on the Beatitudes, on the Sermon on the Mount, on St. John and his direct seeing and interpretation of Christ and God. "He that is not with me is against me; and he that gathereth not with me, scattereth." A strange, strong, tense, confused, merciful and too, after his fashion beautiful soul; sorrowing with misery yearning toward an impossible justice.

Mrs. Griffiths in her talks with him had maintained that he was to remember that Roberta was not wholly guiltless. Had she not sinned with her son? And how was he to exculpate her entirely? A great legal mistake. Her son was being most unjustly executed—and by the pitiful but none-theless romantic and poetic letters of this girl which should never have been poured forth upon a jury of men at all. They were, as she now maintained, incapable of judging justly or fairly where anything sad in connection with a romantic and pretty girl was concerned. She had found that to be true in her mission work.

And this idea now appealed to the Rev. Duncan as important and very likely true. And perhaps, as she now contended, if only some powerful and righteous emissary of God would visit Clyde and through the force of his faith and God's word make him see—which she was sure he did not yet, and which she in her troubled state, and because she was his mother, could not make him,—the blackness and terror of his sin with Roberta as it related to his immortal soul here and hereafter,—then in gratitude to, reverence and faith in God, would be washed away, all his iniquity, would it not? For irrespective of whether he had committed the crime now charged against him or not—and she was convinced that he had not—was he not,

nevertheless, in the shadow of the electric chair—in danger at any time through death (even before a decision should be reached) of being called before his maker—and with the deadly sin of adultery, to say nothing of all his lies and false conduct, not only in connection with Roberta but that other girl there in Lycurgus, upon him? And by conversion and contrition should he not be purged of this? If only his soul were saved—she and he too would be at peace in this world.

And after a first and later a second pleading letter from Mrs. Griffiths, in which, after she had arrived at Denver, she set forth Clyde's loneliness and need of counsel and aid, the Rev. Duncan setting forth for Auburn. And once there—having made it clear to the warden what his true purpose was—the spiritual salvation of Clyde's soul, for his own, as well as his mother and God's sake, he was at once admitted to the death house and to Clyde's presence—the very door of his cell, where he paused and looked through, observing Clyde lying most wretchedly on his cot trying to read. And then McMillan outlining his tall, thin figure against the bars and without introduction of any kind, beginning, his head bowed in prayer:

"Have mercy upon me, O God, according to thy loving-kindness; according unto the multitude of thy tender mercies, blot out my transgressions."

"Wash me thoroughly from my iniquity and cleanse me from my sin."

"For I acknowledge my transgressions, and my sin is ever before me."

"Against Thee, Thee only have I sinned, and done this evil in thy sight, that Thou mightest be justified when Thou speakest and be clear when Thou judgest."

"Behold, I was shapen in iniquity; and in sin did my mother conceive me."

"Behold, Thou desireth truth in the inward parts; and in the hidden part Thou shalt make me to know wisdom."

"Purge me with hyssop, and I shall be clean; wash me, and I shall be whiter than snow."

"Make me to hear joy and gladness; that the bones which Thou hast broken may rejoice."

"Hide thy face from my sins, and blot out all mine iniquities."

"Create in me a clean heart, O God; and renew a right spirit within me."

"Cast me not away from Thy presence; and take not Thy holy spirit away from me."

"Restore unto me the joy of Thy salvation, and uphold me with Thy free spirit."

"Then will I teach transgressors Thy ways; and sinners will be converted unto Thee."

"Deliver me from blood guiltiness, O God, thou God of my salvation, and my tongue shall sing aloud of Thy righteousness."

"O Lord, open Thou my lips; and my mouth shall show forth Thy praise."

"For Thou desirest not sacrifice; else would I give it; Thou delightest not in burnt offering."

"The sacrifices of God are a broken spirit; a broken and a contrite heart, O God, Thou wilt not despise."

He paused—but only after he had intoned, and in a most sonorous and really beautiful voice the entire 51st Psalm. And then looking up, because Clyde, much astonished, had first sat up and then risen—and curiously enticed by the clean and youthful and vigorous if pale figure had approached nearer the cell door, he now added:

"I bring you, Clyde, the mercy and the salvation of your God. He has called on me and I have come. He has sent me that I may say unto you though your sins be as scarlet, they shall be white—like snow. Though they be red, like crimson, they shall be as wool. Come now, let us reason together with the Lord."

He paused and stared at Clyde tenderly. A warm, youthful, half smile, half romantic, played about his lips. He liked the youth and refinement of Clyde, who, on his part was plainly taken by this exceptional figure. Another religionist, of course. But the Protestant chaplain who was here was nothing like this man—neither so arresting nor attractive.

"Duncan McMillan is my name," he said, "and I come from the work of the Lord in Syracuse. He has sent me—just as he sent your mother to me. She has told me all that she believes. I have read all that you have said. And I know why you are here. But it is to bring you spiritual joy and gladness that I am here."

And he suddenly quoted from Psalms 13:2, "'How shall I take counsel in my soul, having sorrow in my heart, daily.' That is from Psalms 13:2. And here is another thing that now comes to me as something that I should say to you. It is from the Bible, too—the Tenth Psalm: 'He hath said in his heart, I shall not be moved, for I shall never

be in adversity.' But you are in adversity, you see. We all are, who live in sin. And here is another thing that comes to me, just now, to say. It is from Psalm 10: 11: 'He hath said in his heart, God hath forgotten. He hideth his face.' And I am told to say to you that He does not hide his face. Rather I am told to quote this to you from the Eighteenth Psalm: 'They prevented me in the day of my calamity, but the Lord was my stay. He sent from above, he took me, he drew me out of many waters.'

" 'He delivered me from my strong enemy.

" 'And from them which hated me, for they were too many for me.

" 'He brought me forth also unto a large place.

" 'He delivered me because he delighted in me.'

"Clyde, those are all words addressed to you. They come to me here to say to you just as though they were being whispered to me. I am but the mouthpiece for these words spoken direct to you. Take counsel with your own heart. Turn from the shadow to the light. Let us break these bonds of misery and gloom; chase these shadows and this darkness. You have sinned. The Lord can and will forgive. Repent. Join with him who has shaped the world and keeps it. He will not spurn your faith; he will not neglect your prayers. Turn—in yourself—in the confines of this cell—and say: 'Lord, help me. Lord, hear Thou my prayer. Lord, lighten mine eyes!'

"Do you think there is no God—and that He will not answer you? Pray. In your trouble turn to Him—not me—or any other. But to Him. Pray. Speak to Him. Call to Him. Tell Him the truth and ask for help. As surely as you are here before me—and if in your heart you truly repent of any evil you have done—*truly, truly,* you will hear and feel Him. He will take your hand. He will enter this cell and your soul. You will know Him by the peace and the light that will fill your mind and heart. Pray. And if you need me again to help you in any way—to pray with you—or to do you any service of any kind—to cheer you in your loneliness—you have only to send for me; drop me a card. I have promised your mother and I will do what I can. The warden has my address." He paused, serious and conclusive in his tone—because up to this time, Clyde had looked more curious and astonished than anything else.

At the same time because of Clyde's extreme youthfulness and a certain air of lonely dependence which marked him ever since his mother and Nicholson had gone: "I'll always be in

easy reach. I have a lot of religious work over in Syracuse but I'll be glad to drop it at any time that I can really do anything more for you." And here he turned as if to go.

But Clyde, now taken by him—his vital, confident and kindly manner—so different to the tense, fearful and yet lonely life here, called after him: "Oh, don't go just yet. Please don't. It's very nice of you to come and see me and I'm obliged to you. My mother wrote me you might. You see, it's very lonely here. I haven't thought much of what you were saying, perhaps, because I haven't felt as guilty as some think I am. But I've been sorry enough. And certainly any one in here pays a good deal." His eyes looked very sad and strained.

And at once, McMillan, now deeply touched for the first time replied: "Clyde, you needn't worry. I'll come to see you again within a week, because now I see you need me. I'm not asking you to pray because I think you are guilty of the death of Roberta Alden. I don't know. You haven't told me. Only you and God know what your sins and your sorrows are. But I do know you need spiritual help and He will give you that—oh, fully. 'The Lord will be a refuge for the oppressed; a refuge in time of trouble.'"

He smiled as though he were now really fond of Clyde. And Clyde feeling this and being intrigued by it, replied that there wasn't anything just then that he wanted to say except to tell his mother that he was all right—and make her feel a little better about him, maybe, if he could. Her letters were very sad, he thought. She worried too much about him. Besides he, himself, wasn't feeling so very good—not a little run down and worried these days. Who wouldn't be in his position? Indeed, if only he could win to spiritual peace through prayer, he would be glad to do it. His mother had always urged him to pray—but up to now he was sorry to say he hadn't followed her advice very much. He looked very distrait and gloomy—the marked prison pallor having long since settled on his face.

And the Reverend Duncan, now very much touched by his state, replied: "Well, don't worry, Clyde. Enlightenment and peace are surely going to come to you. I can see that. You have a Bible there, I see. Open it anywhere in Psalms and read. The 51st, 91st, 23rd. Open to St. John. Read it all—over and over. Think and pray—and think on all the things about you—the moon, the stars, the sun, the trees, the sea—your own beating heart, your body and strength—and ask yourself who made them. How did they come to be? Then, if you can't explain them, ask yourself if the one who made them and

you—whoever he is, whatever he is, wherever he is, isn't strong and wise enough and kind enough to help you when you need help—provide you with light and peace and guidance, when you need them. Just ask yourself what of the Maker of all this certain reality. And then ask Him—the Creator of it all—to tell you how and what to do. Don't doubt. Just ask and see. Ask in the night—in the day. Bow your head and pray and see. Verily, He will not fail you. I know because I have that peace."

He stared at Clyde convincingly—then smiled and departed. And Clyde, leaning against his cell door, began to wonder. The Creator! His Creator! The Creator of the World! . . . Ask and see——!

And yet—there was still lingering here in him that old contempt of his for religion and its fruits,—the constant and yet fruitless prayers and exhortations of his father and mother. Was he going to turn to religion now, solely because he was in difficulties and frightened like these others? He hoped not. Not like that, anyway.

Just the same the mood, as well as the temperament of the Reverend Duncan McMillan—his young, forceful, convinced and dramatic body, face, eyes, now intrigued and then moved Clyde as no religionist or minister in all his life before ever had. He was interested, arrested and charmed by the man's faith—whether at once or not at all—ever—he could come to put the reliance in it that plainly this man did.

CHAPTER XXXII

THE personal conviction and force of such an individual as the Reverend McMillan, while in one sense an old story to Clyde and not anything which so late as eighteen months before could have moved him in any way (since all his life he had been accustomed to something like it), still here, under these circumstances, affected him differently. Incarcerated, withdrawn from the world, compelled by the highly circumscribed nature of this death house life to find solace or relief in his own thoughts, Clyde's, like every other temperament similarly limited, was compelled to devote itself either to the past, the present or the future. But the past was so painful to contemplate at any point. It seared and burned. And the present (his immediate surroundings) as well as the future with its deadly fear of what was certain to happen in case his appeal failed, were two phases equally frightful to his waking consciousness.

What followed then was what invariably follows in the wake of every tortured consciousness. From what it dreads or hates, yet knows or feels to be unescapable, it takes refuge in that which may be hoped for—or at least imagined. But what was to be hoped for or imagined? Because of the new suggestion offered by Nicholson, a new trial was all that he had to look forward to, in which case, and assuming himself to be acquitted thereafter, he could go far, far away—to Australia—or Africa—or Mexico—or some such place as that, where, under a different name—his old connections and ambitions relating to that superior social life that had so recently intrigued him, laid aside, he might recover himself in some small way. But directly in the path of that hopeful imagining, of course, stood the death's head figure of a refusal on the part of the Court of Appeals to grant him a new trial. Why not—after that jury at Bridgeburg? And then—as in that dream in which he turned from the tangle of snakes to face the tramping rhinoceros with its two horns—he was confronted by that awful thing in the adjoining room—that chair! That chair! Its straps and its flashes which so regularly dimmed the lights in

this room. He could not bear to think of his entering there—ever. And yet supposing his appeal was refused! Away! He would like to think no more about it.

But then, apart from that what was there to think of? It was that very question that up to the time of the arrival of the Rev. Duncan McMillan, with his plea for a direct and certainly (as he insisted) fruitful appeal to the Creator of all things, that had been definitely torturing Clyde. Yet see—how simple was his solution!

"It is given unto you to know the Peace of God," he insisted, quoting Paul and thereafter sentences from Corinthians, Galatians, Ephesians, on how easy it was—if Clyde would but repeat and pray as he had asked him to—for him to know and delight in the "peace that passeth all understanding." It was with him, all around him. He had but to seek; confess the miseries and errors of his heart, and express contrition. "Ask, and ye shall receive; seek, and ye shall find; knock, and it shall be opened unto you. For *every one* that asketh, receiveth; and he that seeketh, findeth; and to him that knocketh it shall be opened. For what man is there of you whom, if his son ask bread, will give him a stone; or, if he ask fish, will give him a serpent?" So he quoted, beautifully and earnestly.

And yet before Clyde always was the example of his father and mother. What had they? It had not availed them much—praying. Neither, as he noticed here, did it appear to avail or aid these other condemned men, the majority of whom lent themselves to the pleas or prayers of either priest or rabbi or minister, one and the other of whom was about daily. Yet were they not led to their death just the same—and complaining or protesting, or mad like Cutrone, or indifferent? As for himself, up to this he had not been interested by any of these. Bunk. Notions. Of what? He could not say. Nevertheless, here was the appealing Rev. Duncan McMillan. His mild, serene eyes. His sweet voice. His faith. It moved and intrigued Clyde deeply. Could there—could there? He was so lonely—so despairing—so very much in need of help.

Was it not also true (the teaching of the Rev. McMillan—influencing him to that extent at least) that if he had led a better life—had paid more attention to what his mother had said and taught—not gone into that house of prostitution in Kansas City—or pursued Hortense Briggs in the evil way that he had—or after her, Roberta—had been content to work and save, as no doubt most men were—would he not be better off than he now was? But then again, there was the fact or truth

of those very strong impulses and desires within himself that were so very, very hard to overcome. He had thought of those, too, and then of the fact that many other people like his mother, his uncle, his cousin, and this minister here, did not seem to be troubled by them. And yet also he was given to imagining at times that perhaps it was because of superior mental and moral courage in the face of passions and desires, equivalent to his own, which led these others to do so much better. He was perhaps just willfully devoting himself to these other thoughts and ways, as his mother and McMillan and most every one else whom he had heard talk since his arrest seemed to think.

What did it all mean? Was there a God? Did He interfere in the affairs of men as Mr. McMillan was now contending? Was it possible that one could turn to Him, or at least some creative power, in some such hour as this and when one had always ignored Him before, and ask for aid? Decidedly one needed aid under such circumstances—so alone and ordered and controlled by law—not man—since these, all of them, were the veriest servants of the law. But would this mysterious power be likely to grant aid? Did it really exist and hear the prayers of men? The Rev. McMillan insisted yes. "He hath said God hath forgotten; He hideth His face. But He has not forgotten. He has not hidden His face." But was that true? Was there anything to it? Tortured by the need of some mental if not material support in the face of his great danger, Clyde was now doing what every other human in related circumstances invariably does—seeking, and yet in the most indirect and involute and all but unconscious way, the presence or existence at least of some superhuman or supernatural personality or power that could and would aid him in some way—beginning to veer—however slightly or unconsciously as yet,—toward the personalization and humanization of forces, of which, except in the guise of religion, he had not the faintest conception. "The Heavens declare the Glory of God, and the Firmament sheweth His handiwork." He recalled that as a placard in one of his mother's mission windows. And another which read: "For He is Thy life and Thy length of Days." Just the same—and far from it as yet, even in the face of his sudden predisposition toward the Rev. Duncan McMillan, was he seriously moved to assume that in religion of any kind was he likely to find surcease from his present miseries?

And yet the weeks and months going by—the Rev. McMillan calling regularly thereafter, every two weeks at the longest, sometimes every week and inquiring after his state, listening to

his wants, advising him as to his health and peace of mind. And Clyde, anxious to retain his interest and visits, gradually, more and more, yielding himself to his friendship and influence. That high spirituality. That beautiful voice. And quoting always such soothing things. "Brethren *now* are we the children of God. And it doth not yet appear what we shall be; but we know that when He shall appear we shall be like Him, for we shall see Him as He is. And every man that has this hope in him purifieth himself even as He is pure."

"Hereby know that we dwell in Him and He in us, because He hath given us of His spirit."

"For ye are bought with a price."

"Of His own will begot He us with the word of truth, and we should be a kind of first fruits of his creatures. And every good and every perfect gift is from above and cometh down from the Father of lights, with whom is no variableness, neither shadow of turning."

"Draw nigh unto God and He will draw nigh unto you."

He was inclined, at times, to feel that there might be peace and strength—aid, even—who could say, in appealing to this power. It was the force and the earnestness of the Rev. McMillan operating upon him.

And yet, the question of repentance—and with it confession. But to whom? The Rev. Duncan McMillan, of course. He seemed to feel that it was necessary for Clyde to purge his soul to him—or some one like him—a material and yet spiritual emissary of God. But just there was the trouble. For there was all of that false testimony he had given in the trial, yet on which had been based his appeal. To go back on that now, and when his appeal was pending. Better wait, had he not, until he saw how that appeal had eventuated.

But, ah, how shabby, false, fleeting, insincere. To imagine that any God would bother with a person who sought to dicker in such a way. No, no. That was not right either. What would the Rev. McMillan think of him if he knew what he was thinking?

But again there was the troubling question in his own mind as to his real guilt—the amount of it. True there was no doubt that he had plotted to kill Roberta there at first—a most dreadful thing as he now saw it. For the complications and the fever in connection with his desire for Sondra having subsided somewhat, it was possible on occasion now for him to reason without the desperate sting and tang of the mental state that had characterized him at the time when he was so immedi-

ately in touch with her. Those terrible, troubled days when in spite of himself—as he now understood it (Belknap's argument having cleared it up for him) he had burned with that wild fever which was not unakin in its manifestations to a form of insanity. The beautiful Sondra! The glorious Sondra! The witchery and fire of her smile then! Even now that dreadful fever was not entirely out but only smoldering—smothered by all of the dreadful things that had since happened to him.

Also, it must be said on his behalf now, must it not—that never, under any other circumstances, would he have succumbed to any such terrible thought or plot as that—to kill any one—let alone a girl like Roberta—unless he had been so infatuated—lunatic, even. But had not the jury there at Bridgeburg listened to that plea with contempt? And would the Court of Appeals think differently? He feared not. And yet was it not true? Or was he all wrong? Or what? Could the Rev. McMillan or any one else to whom he would explain tell him as to that? He would like to talk to him about it—confess everything perhaps, in order to get himself clear on all this. Further, there was the fact that having plotted for Sondra's sake (and God, if no one else, knew that) he still had not been able to execute it. And that had not been brought out in the trial, because the false form of defense used permitted no explanation of the real truth then—and yet it was a mitigating circumstance, was it not—or would the Rev. McMillan think so? A lie had to be used, as Jephson saw it. But did that make it any the less true?

There were phases of this thing, the tangles and doubts involved in that dark, savage plot of his, as he now saw and brooded on it, which were not so easily to be disposed of. Perhaps the two worst were, first, that in bringing Roberta there to that point on that lake—that lone spot—and then growing so weak and furious with himself because of his own incapacity to do evil, he had frightened her into rising and trying to come to him. And that in the first instance made it possible for her to be thus accidentally struck by him and so made him, in part at least, guilty of that blow—or did it?—a murderous, sinful blow in that sense. Maybe. What would the Rev. McMillan say to that? And since because of that she had fallen into the water, was he not guilty of her falling? It was a thought that troubled him very much now—his constructive share of guilt in all that. Regardless of what Oberwaltzer had said there at the trial in regard to his swimming away from her—that if she had accidentally fallen in the water, it was no crime

on his part, supposing he refused to rescue her,—still, as he now saw it, and especially when taken in connection with all that he had thought in regard to Roberta up to that moment, it was a crime just the same, was it not? Wouldn't God—McMillan—think so? And unquestionably, as Mason had so shrewdly pointed out at the trial, he might have saved her. And would have too, no doubt, if she had been Sondra—or even the Roberta of the summer before. Besides, the fear of her dragging him down had been no decent fear. (It was at nights in his bunk at this time that he argued and reasoned with himself, seeing that McMillan was urging him now to repent and make peace with his God.) Yes, he would have to admit that to himself. Decidedly and instantly he would have sought to save her life, if it had been Sondra. And such being the case, he would have to confess that—if he confessed at all to the Rev. McMillan—or to whomever else one told the truth—when one did tell it—the public at large perhaps. But such a confession once made, would it not surely and truly lead to his conviction? And did he want to convict himself now and so die?

No, no, better wait a while perhaps—at least until the Court of Appeals had passed on his case. Why jeopardize his case when God already knew what the truth was? Truly, truly he was sorry. He could see how terrible all this was now—how much misery and heartache, apart from the death of Roberta, he had caused. But still—still—was not life sweet? Oh, if he could only get out! Oh, if he could only go away from here—never to see or hear or feel anything more of this terrible terror that now hung over him. The slow coming dark—the slow coming dawn. The long night! The sighs—the groans. The tortures by day and by night until it seemed at times as though he should go mad; and would perhaps except for McMillan, who now appeared devoted to him—so kind, appealing and reassuring, too, at times. He would just like to sit down some day—here or somewhere—and tell him all and get him to say how really guilty, if at all, he thought him to be—and if so guilty to get him to pray for him. At times he felt so sure that his mother's and the Rev. Duncan McMillan's prayers would do him so much more good with this God than any prayers of his own would. Somehow he couldn't pray yet. And at times hearing McMillan pray, softly and melodiously, his voice entering through the bars—or, reading from Galatians, Thessalonians, Corinthians, he felt as though he must tell him everything, and soon.

But the days going by until finally one day six weeks after—and when because of his silence in regard to himself, the Rev. Duncan was beginning to despair of ever affecting him in any way toward his proper contrition and salvation—a letter or note from Sondra. It came through the warden's office and by the hand of the Rev. Preston Guilford, the Protestant chaplain of the prison, but was not signed. It was, however, on good paper, and because the rule of the prison so requiring had been opened and read. Nevertheless, on account of the nature of the contents which seemed to both the warden and the Rev. Guilford to be more charitable and punitive than otherwise, and because plainly, if not verifiably, it was from that Miss X of repute or notoriety in connection with his trial, it was decided, after due deliberation, that Clyde should be permitted to read it—even that it was best that he should. Perhaps it would prove of value as a lesson. The way of the transgressor. And so it was handed to him at the close of a late fall day—after a long and dreary summer had passed (soon a year since he had entered here). And he taking it. And although it was typewritten with no date nor place save on the envelope, which was postmarked New York—yet sensing somehow that it might be from her. And growing decidedly nervous—so much so that his hand trembled slightly. And then reading—over and over and over—during many days thereafter: "Clyde—This is so that you will not think that some one once dear to you has utterly forgotten you. She has suffered much, too. And though she can never understand how you could have done as you did, still, even now, although she is never to see you again, she is not without sorrow and sympathy and wishes you freedom and happiness."

But no signature—no trace of her own handwriting. She was afraid to sign her name and she was too remote from him in her mood now to let him know where she was. New York! But it might have been sent there from anywhere to mail. And she would not let him know—would never let him know—even though he died here later, as well he might. His last hope—the last trace of his dream vanished. Forever! It was at that moment, as when night at last falls upon the faintest remaining gleam of dusk in the west. A dim, weakening tinge of pink—and then the dark.

He seated himself on his cot. The wretched stripes of his uniform and his gray felt shoes took his eye. A felon. These stripes. These shoes. This cell. This uncertain, threatening prospect so very terrible to contemplate at any time. And then this letter. So this was the end of all that wonderful dream!

And for this he had sought so desperately to disengage himself from Roberta—even to the point of deciding to slay her. This! This! He toyed with the letter, then held it quite still. Where was she now? Who in love with, maybe? She had had time to change perhaps. She had only been captivated by him a little, maybe. And then that terrible revelation in connection with him had destroyed forever, no doubt, all sentiment in connection with him. She was free. She had beauty—wealth. Now some other——

He got up and walked to his cell door to still a great pain. Over the way, in that cell the Chinaman had once occupied, was a negro—Wash Higgins. He had stabbed a waiter in a restaurant, so it was said, who had refused him food and then insulted him. And next to him was a young Jew. He had killed the proprietor of a jewelry store in trying to rob it. But he was very broken and collapsed now that he was here to die—sitting for the most part all day on his cot, his head in his hands. Clyde could see both now from where he stood—the Jew holding his head. But the negro on his cot, one leg above the other, smoking—and singing—

"Oh, big wheel ro-a-lin' . . . hmp!
Oh, big wheel ro-a-lin' . . . hmp!
Oh, big wheel ro-a-lin' . . . hmp!
Foh me! Foh me!"

And then Clyde, unable to get away from his own thoughts, turning again.

Condemned to die! He. And this was the end as to Sondra. He could feel it. Farewell. "Although she is never to see you again." He threw himself on his couch—not to weep but to rest—he felt so weary. Lycurgus. Fourth Lake. Bear Lake. Laughter—kisses—smiles. What was to have been in the fall of the preceding year. And now—a year later.

But then,—that young Jew. There was some religious chant into which he fell when his mental tortures would no longer endure silence. And oh, how sad. Many of the prisoners had cried out against it. And yet, oh, how appropriate now, somehow.

"I have been evil. I have been unkind. I have lied. Oh! Oh! Oh! I have been unfaithful. My heart has been wicked. I have joined with those who have done evil things. Oh! Oh! Oh! I have stolen. I have been false. I have been cruel! Oh! Oh! Oh!"

And the voice of Big Tom Rooney sentenced for killing

Thomas Tighe, a rival for the hand of an underworld girl. "For Christ's sake! I know you feel bad. But so do I. Oh, for God's sake, don't do that!"

Clyde, on his cot, his thoughts responding rhythmically to the chant of the Jew—and joining with him silently—"I have been evil. I have been unkind. I have lied. Oh! Oh! Oh! I have been unfaithful. My heart has been wicked. I have joined with those who have done evil things. Oh! Oh! Oh! I have been false. I have been cruel. I have sought to murder. Oh! Oh! Oh! And for what? A vain—impossible dream! Oh! Oh! Oh! . . . Oh! Oh! Oh! . . ."

When the guard, an hour later, placed his supper on the shelf in the door, he made no move. Food! And when the guard returned in another thirty minutes, there it was, still untouched, as was the Jew's—and was taken away in silence. Guards knew when blue devils had seized the inmates of these cages. They couldn't eat. And there were times, too, when even guards couldn't eat.

CHAPTER XXXIII

THE depression resulting even after two days was apparent to the Reverend McMillan, who was concerned to know why. More recently, he had been led to believe by Clyde's manner, his visits, if not the fact that the totality of his preachments, had not been greeted with as much warmth as he would have liked, that by degrees Clyde was being won to his own spiritual viewpoint. With no little success, as it had seemed to him, he had counseled Clyde as to the folly of depression and despair. "What! Was not the peace of God within his grasp and for the asking. To one who sought God and found Him, as he surely would, if he sought, there could be no sorrow, but only joy. 'Hereby know we that we dwell in Him, and He in us, because He hath given us of His spirit.'" So he preached or read,—until finally—two weeks after receiving the letter from Sondra and because of the deep depression into which he had sunk on account of it, Clyde was finally moved to request of him that he try to induce the warden to allow him to be taken to some other cell or room apart from this room or cell which seemed to Clyde to be filled with too many of his tortured thoughts, in order that he might talk with him and get his advice. As he told the Reverend McMillan, he did not appear to be able to solve his true responsibility in connection with all that had so recently occurred in his life, and because of which he seemed not to be able to find that peace of mind of which McMillan talked so much. Perhaps . . . ,—there must be something wrong with his viewpoint. Actually he would like to go over the offense of which he was convicted and see if there was anything wrong in his understanding of it. He was not so sure now. And McMillan, greatly stirred,—an enormous spiritual triumph, this—as he saw it—the true reward of faith and prayer, at once proceeding to the warden, who was glad enough to be of service in such a cause. And he permitted the use of one of the cells in the old death house for as long as he should require, and with no guard between himself and Clyde—one only remaining in the general hall outside.

And there Clyde began the story of his relations with Roberta and Sondra. Yet because of all that had been set forth at the trial, merely referring to most of the evidence—apart from his defense—the change of heart, as so; afterwards dwelling more particularly on the fatal adventure with Roberta in the boat. Did the Reverend McMillan—because of the original plotting—and hence the original intent—think him guilty?—especially in view of his obsession over Sondra—all his dreams in regard to her—did that truly constitute murder? He was asking this because, as he said, it was as he had done—not as his testimony at the trial had indicated that he had done. It was a lie that he had experienced a change of heart. His attorneys had counseled that defense as best, since they did not feel that he was guilty, and had thought that plan the quickest route to liberty. But it was a lie. In connection with his mental state also there in the boat, before and after her rising and attempting to come to him,—and that blow, and after,—he had not told the truth either—quite. That unintentional blow, as he now wished to explain, since it affected his efforts at religious meditation,—a desire to present himself honestly to his Creator, if at all (he did not then explain that as yet he had scarcely attempted to so present himself)—there was more to it than he had been able yet to make clear, even to himself. In fact even now to himself there was much that was evasive and even insoluble about it. He had said that there had been no anger—that there had been a change of heart. But there had been no change of heart. In fact, just before she had risen to come to him, there had been a complex troubled state, bordering, as he now saw it, almost upon trance or palsy, and due—but he could scarcely say to what it was due, exactly. He had thought at first—or afterwards—that it was partly due to pity for Roberta—or, at least the shame of so much cruelty in connection with her—his plan to strike her. At the same time there was anger, too,—hate maybe—because of her determination to force him to do what he did not wish to do. Thirdly—yet he was not so sure as to that—(he had thought about it so long and yet he was not sure even now)—there might have been fear as to the consequences of such an evil deed—although, just at that time, as it seemed to him now, he was not thinking of the consequences—or of anything save his inability to do as he had come to do—and feeling angry as to that.

Yet in the blow—the accidental blow that had followed upon her rising and attempting to come to him, had been some anger against her for wanting to come near him at all. And that it

was perhaps—he was truly not sure, even now, that had given that blow its so destructive force. It was so afterward, anyhow, that he was compelled to think of it. And yet there was also the truth that in rising he was seeking to save her—even in spite of his hate. That he was also, for the moment at least, sorry for that blow. Again, though, once the boat had upset and both were in the water—in all that confusion, and when she was drowning, he had been moved by the thought: "Do nothing." For thus he would be rid of her. Yes, he had so thought. But again, there was the fact that all through, as Mr. Belknap and Mr. Jephson had pointed out, he had been swayed by his obsession for Miss X, the super motivating force in connection with all of this. But now, did the Reverend McMillan, considering all that went before and all that came after—the fact that the unintentional blow still had had anger in it—angry dissatisfaction with her—really—and that afterwards he had not gone to her rescue—as now—honestly—and truly as he was trying to show—did he think that that constituted murder—mortal blood guilt for which spiritually, as well as legally, he might be said to deserve death? Did he? He would like to know for his own soul's peace—so that he could pray, maybe.

The Reverend McMillan hearing all this—and never in his life before having heard or having had passed to him so intricate and elusive and strange a problem—and because of Clyde's faith in and regard for him, enormously impressed. And now sitting before him quite still and pondering most deeply, sadly and even nervously—so serious and important was this request for an opinion—something which, as he knew, Clyde was counting on to give him earthly and spiritual peace. But, none-the-less, the Reverend McMillan was himself too puzzled to answer so quickly.

"Up to the time you went in that boat with her, Clyde, you had not changed in your mood toward her—your intention to—to——"

The Reverend McMillan's face was gray and drawn. His eyes were sad. He had been listening, as he now felt, to a sad and terrible story—an evil and cruel self-torturing and destroying story. This young boy—really——! His hot, restless heart which plainly for the lack of so many things which he, the Reverend McMillan, had never wanted for, had rebelled. And because of that rebellion had sinned mortally and was condemned to die. Indeed his reason was as intensely troubled as his heart was moved.

"No, I had not."

"You were, as you say, angry with yourself for being so weak as not to be able to do what you had planned to do."

"In a way it was like that, yes. But then I was sorry, too, you see. And maybe afraid. I'm not exactly sure now. Maybe not, either."

The Reverend McMillan shook his head. So strange! So evasive! So evil! And yet——

"But at the same time, as you say, you were angry with her for having driven you to that point."

"Yes."

"Where you were compelled to wrestle with so terrible a problem?"

"Yes."

"Tst! Tst! Tst! And so you thought of striking her."

"Yes, I did."

"But you could not."

"No."

"Praised be the mercy of God. Yet in the blow that you did strike—unintentionally—as you say—there was still some anger against her. That was why the blow was so—so severe. You did not want her to come near you."

"No, I didn't. I think I didn't, anyhow. I'm not quite sure. It may be that I wasn't quite right. Anyhow—all worked up, I guess—sick almost. I—I——" In his uniform—his hair cropped so close, Clyde sat there, trying honestly now to think how it really was (exactly) and greatly troubled by his inability to demonstrate to himself even—either his guilt or his lack of guilt. Was he—or was he not? And the Reverend McMillan—himself intensely strained, muttering: "Wide is the gate and broad the way that leadeth to destruction." And yet finally adding: "But you did rise to save her."

"Yes, afterwards, I got up. I meant to catch her after she fell back. That was what upset the boat."

"And you did really want to catch her?"

"I don't know. At the moment I guess I did. Anyhow I felt sorry, I think."

"But can you say now truly and positively, as your Creator sees you, that you were sorry—or that you wanted to save her then?"

"It all happened so quick, you see," began Clyde nervously—hopelessly, almost, "that I'm not just sure. No, I don't know that I was so very sorry. No. I really don't know, you see, now. Sometimes I think maybe I was, a little, sometimes not, maybe. But after she was gone and I was on shore, I felt sorry

—a little. But I was sort of glad, too, you know, to be free, and yet frightened, too—— You see——"

"Yes, I know. You were going to that Miss X. But out there, when she was in the water——?"

"No."

"You did not want to go to her rescue?"

"No."

"Tst! Tst! Tst! You felt no sorrow? No shame? Then?"

"Yes, shame, maybe. Maybe sorrow, too, a little. I knew it was terrible. I felt that it was, of course. But still—you see——"

"Yes, I know. That Miss X. You wanted to get away."

"Yes—but mostly I was frightened, and I didn't want to help her."

"Yes! Yes! Tst! Tst! Tst! If she drowned you could go to that Miss X. You thought of that?" The Reverend McMillan's lips were tightly and sadly compressed.

"Yes."

"My son! My son! In your heart was murder then."

"Yes, yes," Clyde said reflectively. "I have thought since it must have been that way."

The Reverend McMillan paused and to hearten himself for this task began to pray—but silently—and to himself: "Our Father who art in Heaven—hallowed be Thy name. Thy Kingdom come, Thy will be done—on earth as it is in Heaven." He stirred again after a time.

"Ah, Clyde. The mercy of God is equal to every sin. I know it. He sent His own son to die for the evil of the world. It must be so—if you will but repent. But that thought! That deed! You have much to pray for, my son—much. Oh, yes. For in the sight of God, I fear,—yes—— And yet—— I must pray for enlightenment. This is a strange and terrible story. There are so many phases. It may be—but pray. Pray with me now that you and I may have light." He bowed his head. He sat for minutes in silence—while Clyde, also, in silence and troubled doubt, sat before him. Then, after a time he began:

"Oh, Lord, rebuke me not in thine anger; neither chasten me in Thy hot displeasure. Have mercy on me, O Lord, for I am weak. Heal me in my shame and sorrow for my soul is wounded and dark in Thy sight. Oh, let the wickedness of my heart pass. Lead me, O God, into Thy righteousness. Let the wickedness of my heart pass and remember it not."

Clyde—his head down—sat still—very still. He, himself, was at last shaken and mournful. No doubt his sin was very great. Very, very terrible! And yet—— But then, the Reverend McMillan ceasing and rising, he, too, rose, the while McMillan added: "But I must go now. I must think—pray. This has troubled and touched me deeply. Oh, very, Lord. And you—my son—you return and pray—alone. Repent. Ask of God on your knees His forgiveness and He will hear you. Yes, He will. And to-morrow—or as soon as I honestly can—I will come again. But do not despair. Pray always—for in prayer alone, prayer and contrition, is salvation. Rest in the strength of Him who holds the world in the hollow of His hand. In His abounding strength and mercy, is peace and forgiveness. Oh, yes."

He struck the iron door with a small key ring that he carried and at once the guard, hearing it, returned.

Then having escorted Clyde to his cell and seen him once more shut within that restraining cage, he took his own departure, heavily and miserably burdened with all that he had heard. And Clyde was left to brood on all he had said—and how it had affected McMillan, as well as himself. His new friend's stricken mood. The obvious pain and horror with which he viewed it all. Was he really and truly guilty? Did he really and truly deserve to die for this? Was that what the Reverend McMillan would decide? And in the face of all his tenderness and mercy?

After another week in which, moved by Clyde's seeming contrition, and all the confusing and extenuating circumstances of his story, and having wrestled most earnestly with every moral aspect of it, the Reverend McMillan once more before his cell door—but only to say that however liberal or charitable his interpretation of the facts, as at last Clyde had truthfully pictured them, still he could not feel that either primarily or secondarily could he be absolved from guilt for her death. He had plotted—had he not? He had not gone to her rescue when he might have. He had wished her dead and afterwards had not been sorry. In the blow that had brought about the upsetting of the boat had been some anger. Also in the mood that had not permitted him to strike. The facts that he had been influenced by the beauty and position of Miss X to the plotting of this deed, and, after his evil relations with Roberta, that she had been determined he should marry her, far from being points in extenuation of his actions, were really further evidence of his general earthly sin and guilt. Before the Lord then

he had sinned in many ways. In those dark days, alas, as Mr. McMillan saw it, he was little more than a compound of selfishness and unhallowed desire and fornication against the evil of which Paul had thundered. It had endured to the end and had not changed—until he had been taken by the law. He had not repented—not even there at Bear Lake where he had time for thought. And besides, had he not, from beginning to end, bolstered it with false and evil pretenses? Verily.

On the other hand, no doubt if he were sent to the chair now in the face of this first—and yet so clear manifestation of contrition—when now, for the first time he was beginning to grasp the enormity of his offense—it would be but to compound crime with crime—the state in this instance being the aggressor. For, like the warden and many others, McMillan was against capital punishment—preferring to compel the wrong-doer to serve the state in some way. But, none-the-less, he felt himself compelled to acknowledge, Clyde was far from innocent. Think as he would—and however much spiritually he desired to absolve him, was he not actually guilty?

In vain it was that McMillan now pointed out to Clyde that his awakened moral and spiritual understanding more perfectly and beautifully fitted him for life and action than ever before. He was alone. He had no one who believed in him. *No one.* He had no one, who, in any of his troubled and tortured actions before that crime saw anything but the darkest guilt apparently. And yet—and yet—(and this despite Sondra and the Reverend McMillan and all the world for that matter, Mason, the jury at Bridgeburg, the Court of Appeals at Albany, if it should decide to confirm the jury at Bridgeburg) he had a feeling in his heart that he was not as guilty as they all seemed to think. After all they had not been tortured as he had by Roberta with her determination that he marry her and thus ruin his whole life. They had not burned with that unquenchable passion for the Sondra of his beautiful dream as he had. They had not been harassed, tortured, mocked by the ill-fate of his early life and training, forced to sing and pray on the streets as he had in such a degrading way, when his whole heart and soul cried out for better things. How could they judge him, these people, all or any one of them, even his own mother, when they did not know what his own mental, physical and spiritual suffering had been? And as he lived through it again in his thoughts at this moment the sting and mental poison of it was as real to him as ever. Even in the face of all the facts and

as much as every one felt him to be guilty, there was something so deep within him that seemed to cry out against it that, even now, at times, it startled him. Still—there was the Reverend McMillan—he was a very fair and just and merciful man. Surely he saw all this from a higher light and better viewpoint than his own. While at times he felt strongly that he was innocent, at others he felt that he must be guilty.

Oh, these evasive and tangled and torturesome thoughts!! Would he never be able—quite—to get the whole thing straightened out in his own mind?

So Clyde not being able to take advantage truly of either the tenderness and faith and devotion of so good and pure a soul as the Reverend McMillan or the all merciful and all powerful God of whom here he stood as the ambassador. What was he to do, really? How pray, resignedly, unreservedly, faithfully? And in that mood—and because of the urge of the Reverend Duncan, who was convinced by Clyde's confession that he must have been completely infused with the spirit of God, once more thumbing through the various passages and chapters pointed out to him—reading and re-reading the Psalms most familiar to him, seeking from their inspiration to catch the necessary contrition—which once caught would give him that peace and strength which in these long and dreary hours he so much desired. Yet never quite catching it.

Parallel with all this, four more months passed. And at the end of that time—in January, 19—, the Court of Appeals finding (Fulham, J., reviewing the evidence as offered by Belknap and Jephson)—with Kincaid, Briggs, Truman and Dobshuter concurring, that Clyde was guilty as decided by the Cataraqui County jury and sentencing him to die at some time within the week beginning February 28th or six weeks later—and saying in conclusion:

"We are mindful that this is a case of circumstantial evidence and that the only eyewitness denies that death was the result of crime. But in obedience to the most exacting requirements of that manner of proof, the counsel for the people, with very unusual thoroughness and ability has investigated and presented evidence of a great number of circumstances for the purpose of truly solving the question of the defendent's guilt or innocence.

"We might think that the proof of some of these facts standing by themselves was subject to doubt by reason of unsatisfactory or contradictory evidence, and that other oc-

currences might be so explained or interpreted as to be reconcilable with innocence. The defense—and very ably—sought to enforce this view.

"But taken all together and considered as a connected whole, they make such convincing proof of guilt that we are not able to escape from its force by any justifiable process of reasoning and we are compelled to say that not only is the verdict not opposed to the weight of evidence, and to the proper inference to be drawn from it, but that it is abundantly justified thereby. Decision of the lower court unanimously confirmed."

On hearing this, McMillan, who was in Syracuse at the time, hurrying to Clyde in the hope that before the news was conveyed officially, he should be there to encourage him spiritually, since, only with the aid of the Lord, as he saw it—the eternal and ever present help in trouble—would Clyde be able to endure so heavy a blow. And finding him—for which he was most deeply grateful—wholly unaware as to what had occurred, since no news of any kind was conveyed to any condemned man until the warrant for his execution had arrived.

After a most tender and spiritual conversation—in which he quoted from Matthew, Paul and John as to the unimportance of this world—the true reality and joy of the next—Clyde was compelled to learn from McMillan that the decision of the court had gone against him. And that—even though McMillan talked of an appeal to the Governor which he—and some others whom he was sure to be able to influence would make—unless the Governor chose to act, within six weeks, as Clyde knew, he would be compelled to die. And then, once the force of that fact had finally burst on him—and while McMillan talked on about faith and the refuge which the mercy and wisdom of God provided—Clyde, standing before him with more courage and character showing in his face and eyes than at any time previously in his brief and eager career.

"So they've decided against me. Now I will have to go through that door after all,—like all those others. They'll draw the curtains for me, too. Into that other room—then back across the passage—saying good-by as I go, like those others. I will not be here any more." He seemed to be going over each step in his mind—each step with which he was so familiar, only now, for the first time, he was living it for himself. Now, in the face of this dread news, which somehow was as fascinating as it was terrible, feeling not as distrait or weak as at first he had imagined he would be. Rather, to his astonishment, considering all his previous terror in regard to this, thinking of

what he would do, what he would say, in an outwardly calm way.

Would he repeat prayers read to him by the Reverend McMillan here? No doubt. And maybe gladly, too. And yet—

In his momentary trance he was unconscious of the fact that the Reverend Duncan was whispering:

"But you see we haven't reached the end of this yet. There is a new Governor coming into office in January. He is a very sensible and kindly man, I hear. In fact I know several people who know him—and it is my plan to see him personally—as well as to have some other people whom I know write him on the strength of what I will tell them."

But from Clyde's look at the moment, as well as what he now said, he could tell that he was not listening.

"My mother. I suppose some one ought to telegraph her. She is going to feel very bad." And then: "I don't suppose they believed that those letters shouldn't have been introduced just as they were, did they? I thought maybe they would." He was thinking of Nicholson.

"Don't worry, Clyde," replied the tortured and saddened McMillan, at this point more eager to take him in his arms and comfort him than to say anything at all. "I have already telegraphed your mother. As for that decision—I will see your lawyers right away. Besides—as I say—I propose to see the Governor myself. He is a new man, you see."

Once more he was now repeating all that Clyde had not heard before.

CHAPTER XXXIV

THE scene was the executive chamber of the newly elected Governor of the State of New York some three weeks after the news conveyed to Clyde by McMillan. After many preliminary and futile efforts on the part of Belknap and Jephson to obtain a commutation of the sentence of Clyde from death to life imprisonment (the customary filing of a plea for clemency, together with such comments as they had to make in regard to the way the evidence had been misinterpreted and the illegality of introducing the letters of Roberta in their original form, to all of which Governor Waltham, an ex-district attorney and judge from the southern part of the state, had been conscientiously compelled to reply that he could see no reason for interfering) there was now before Governor Waltham Mrs. Griffiths together with the Reverend McMillan. For, moved by the widespread interest in the final disposition of Clyde's case, as well as the fact that his mother, because of her unshaken devotion to him, and having learned of the decision of the Court of Appeals, had once more returned to Auburn and since then had been appealing to the newspapers, as well as to himself through letters for a correct understanding of the extenuating circumstances surrounding her son's downfall, and because she herself had repeatedly appealed to him for a personal interview in which she should be allowed to present her deepest convictions in regard to all this, the Governor had at last consented to see her. It could do no harm. Besides it would tend to soothe her. Also variable public sentiment, whatever its convictions in any given case, was usually on the side of the form or gesture of clemency—without, however, any violence to its convictions. And, in this case, if one could judge by the newspapers, the public was convinced that Clyde was guilty. On the other hand, Mrs. Griffiths, owing to her own long meditations in regard to Clyde, Roberta, his sufferings during and since the trial, the fact that according to the Reverend McMillan he had at last been won to a deep contrition and a spiritual union with his Creator whatever his original sin, was now more than ever convinced that humanity and even justice demanded that at least

he be allowed to live. And so standing before the Governor, a tall, sober and somewhat somber man who, never in all his life had even so much as sensed the fevers or fires that Clyde had known, yet who, being a decidedly affectionate father and husband, could very well sense what Mrs. Griffiths' present emotions must be. Yet greatly exercised by the compulsion which the facts, as he understood them, as well as a deep-seated and unchangeable submission to law and order, thrust upon him. Like the pardon clerk before him, he had read all the evidence submitted to the Court of Appeals, as well as the latest briefs submitted by Belknap and Jephson. But on what grounds could he—David Waltham, and without any new or varying data of any kind—just a re-interpretation of the evidence as already passed upon—venture to change Clyde's death sentence to life imprisonment? Had not a jury, as well as the Court of Appeals, already said he should die?

In consequence, as Mrs. Griffiths began her plea, her voice shaky—retracing as best she could the story of Clyde's life, his virtues, the fact that at no time ever had he been a bad or cruel boy—that Roberta, if not Miss X, was not entirely guiltless in the matter—he merely gazed at her deeply moved. The love and devotion of such a mother! Her agony in this hour; her faith that her son could not be as evil as the proven facts seemed to indicate to him and every one else. "Oh, my dear Governor, how can the sacrifice of my son's life now, and when spiritually he has purged his soul of sin and is ready to devote himself to the work of God, repay the state for the loss of that poor, dear girl's life, whether it was accidentally or otherwise taken—how can it? Can not the millions of people of the state of New York be merciful? Cannot you as their representative exercise the mercy that they may feel?"

Her voice broke—she could not go on. Instead she turned her back and began to cry silently, while Waltham, shaken by an emotion he could not master, merely stood there. This poor woman! So obviously honest and sincere. Then the Reverend McMillan, seeing his opportunity, now entering his plea. Clyde had changed. He could not speak as to his life before—but since his incarceration—or for the last year, at least, he had come into a new understanding of life, duty, his obligations to man and God. If but the death sentence could be commuted to life imprisonment——

And the Governor, who was a very earnest and conscientious man, listened with all attention to McMillan, whom, as he saw and concluded was decidedly an intense and vital and highly

idealistic person. No question in his own mind but what the words of this man—whatever they were, would be true—in so far as his own understanding would permit the conception of a truth.

"But you, personally, Mr. McMillan," the Governor at last found voice to say, "because of your long contact with him in the prison there—do you know of any material fact not introduced at the trial which would in any way tend to invalidate or weaken any phase of the testimony offered at the trial? As you must know this is a legal proceeding. I cannot act upon sentiment alone—and especially in the face of the unanimous decision of two separate courts."

He looked directly at McMillan, who, pale and dumb, now gazed at him in return. For now upon his word—upon his shoulders apparently was being placed the burden of deciding as to Clyde's guilt or innocence. But could he do that? Had he not decided, after due meditation as to Clyde's confessions, that he was guilty before God and the law? And could he now—for mercy's sake—and in the face of his deepest spiritual conviction, alter his report of his conviction? Would that be true—white, valuable before the Lord? And as instantly deciding that he, Clyde's spiritual adviser, must not in any way be invalidated in his spiritual worth to Clyde. "Ye are the salt of the earth; but if the salt have lost his savor, wherewith shall it be salted?" And forthwith he declared: "As his spiritual advisor I have entered only upon the spiritual, not the legal aspect of his life." And thereupon Waltham at once deciding, from something in McMillan's manner that he, like all others, apparently, was satisfied as to Clyde's guilt. And so, finally finding courage to say to Mrs. Griffiths: "Unless some definite evidence such as I have not yet seen and which will affect the legality of these two findings can be brought me, I have no alternative, Mrs. Griffiths, but to allow the verdict as written to stand. I am very sorry—oh, more than I can tell you. But if the law is to be respected its decisions can never be altered except for reasons that in themselves are full of legal merit. I wish I could decide differently. I do indeed. My heart and my prayers go with you."

He pressed a button. His secretary entered. It was plain that the interview was ended. Mrs. Griffiths, violently shaken and deeply depressed by the peculiar silence and evasion of McMillan at the crucial moment of this interview when the Governor had asked such an all important and direct question as to the guilt of her son, was still unable to say a word more. But now what? Which way? To whom to turn? God, and God only.

She and Clyde must find in their Creator the solace for his failure and death in this world. And as she was thinking and still weeping, the Reverend McMillan approached and gently led her from the room.

When she was gone the Governor finally turned to his secretary:

"Never in my life have I faced a sadder duty. It will always be with me." He turned and gazed out upon a snowy February landscape.

And after this but two more weeks of life for Clyde, during which time, and because of this ultimate decision conveyed to him first by McMillan, but in company with his mother, from whose face Clyde could read all, even before McMillan spoke, and from whom he heard all once more as to his need of refuge and peace in God, his Savior, he now walked up and down his cell, unable to rest for any length of time anywhere. For, because of this final completely convincing sensation, that very soon he was to die, he felt the need, even now of retracing his unhappy life. His youth. Kansas City. Chicago. Lycurgus. Roberta and Sondra. How swiftly they and all that was connected with them passed in review. The few, brief, bright intense moments. His desire for more—more—that intense desire he had felt there in Lycurgus after Sondra came and now this, this! And now even this was ending—this—this—— Why, he had scarcely lived at all as yet—and these last two years so miserably between these crushing walls. And of this life but fourteen, thirteen, twelve, eleven, ten, nine, eight of the filtering and now feverish days left. They were going—going. But life—life—how was one to do without that—the beauty of the days—of the sun and rain—of work, love, energy, desire. Oh, he really did not want to die. He did not. Why say to him so constantly as his mother and the Reverend McMillan now did to resolve all his care in divine mercy and think only of God, when now, now, was all? And yet the Reverend McMillan insisting that only in Christ and the hereafter was real peace. Oh, yes—but just the same, before the Governor might he not have said—might he not have said that he was not guilty—or at least not entirely guilty—if only he had seen it that way—that time—and then—then—why then the Governor might have commuted his sentence to life imprisonment—might he not? For he had asked his mother what the Reverend McMillan had said to the Governor—(yet without saying to her that he had ever confessed all to him), and she had replied that he had told him how sincerely he had humbled himself before the Lord—but not that

he was not guilty. And Clyde, feeling how strange it was that the Reverend McMillan could not conscientiously bring himself to do more than that for him. How sad. How hopeless. Would no one ever understand—or give him credit for his human —if all too human and perhaps wrong hungers—yet from which so many others—along with himself suffered?

But worse yet, if anything, Mrs. Griffiths, because of what the Reverend McMillan had said—or failed to say, in answer to the final question asked him by Governor Waltham—and although subsequently in answer to an inquiry of her own, he had repeated the statement, she was staggered by the thought that perhaps, after all, Clyde was as guilty as at first she had feared. And because of that asking at one point:

"Clyde, if there is anything you have not confessed, you must confess it before you go."

"I have confessed everything to God and to Mr. McMillan, mother. Isn't that enough?"

"No, Clyde. You have told the world that you are innocent. But if you are not you must say so."

"But if my conscience tells me that I am right, is not that enough?"

"No, not if God's word says differently, Clyde," replied Mrs. Griffiths nervously—and with great inward spiritual torture. But he chose to say nothing further at that time. How could he discuss with his mother or the world the strange shadings which in his confession and subsequent talks with the Reverend McMillan he had not been able to solve. It was not to be done.

And because of that refusal on her son's part to confide in her, Mrs. Griffiths, tortured, not only spiritually but personally. Her own son—and so near death and not willing to say what already apparently he had said to Mr. McMillan. Would not God ever be done with this testing her? And yet on account of what McMillan had already said,—that he considered Clyde, whatever his past sins, contrite and clean before the Lord—a youth truly ready to meet his Maker—she was prone to rest. The Lord was great! He was merciful. In His bosom was peace. What was death—what life—to one whose heart and mind were at peace with Him? It was nothing. A few years (how very few) and she and Asa and after them, his brothers and sisters, would come to join him—and all his miseries here would be forgotten. But without peace in the Lord—the full and beautiful realization of His presence, love, care and mercy . . . ! She was tremulous at moments now in her spiritual exaltation—no longer quite normal—as Clyde could see

and feel. But also by her prayers and anxiety as to his spiritual welfare, he was also able to see how little, really, she had ever understood of his true moods and aspirations. He had longed for so much there in Kansas City and he had had so little. Things—just things—had seemed so very important to him—and he had so resented being taken out on the street as he had been, before all the other boys and girls, many of whom had all the things that he so craved, and when he would have been glad to have been anywhere else in the world than out there—on the street! That mission life that to his mother was so wonderful, yet, to him, so dreary! But was it wrong for him to feel so? Had it been? Would the Lord resent it now? And, maybe, she was right as to her thoughts about him. Unquestionably he would have been better off if he had followed her advice. But how strange it was, that to his own mother, and even now in these closing hours, when above all things he craved sympathy—but more than sympathy, true and deep understanding—even now—and as much as she loved and sympathized with, and was seeking to aid him with all her strength in her stern and self-sacrificing way,—still he could not turn to her now and tell her—his own mother, just how it all happened. It was as though there was an unsurmountable wall or impenetrable barrier between them, built by the lack of understanding—for it was just that. She would never understand his craving for ease and luxury, for beauty, for love—his particular kind of love that went with show, pleasure, wealth, position, his eager and immutable aspirations and desires. She could not understand these things. She would look on all of it as sin—evil, selfishness. And in connection with all the fatal steps involving Roberta and Sondra, as adultery—unchastity—murder, even. And she would and did expect him to be terribly sorry and wholly repentant, when, even now, and for all he had said to the Reverend McMillan and to her, he could not feel so—not wholly so—although great was his desire now to take refuge in God, but better yet, if it were only possible, in her own understanding and sympathetic heart. If it were only possible.

Lord, it was all so terrible! He was so alone, even in these last few and elusive hours (the swift passing of the days), with his mother and also the Reverend McMillan here with him, but neither understanding.

But, apart from all this and much worse, he was locked up here and they would not let him go. There was a system—a horrible routine system—as long since he had come to feel it to be so. It was iron. It moved automatically like a machine without the aid or the hearts of men. These guards!

They with their letters, their inquiries, their pleasant and yet really hollow words, their trips to do little favors, or to take the men in and out of the yard or to their baths—they were iron, too—mere machines, automatons, pushing and pushing and yet restraining and restraining one—within these walls, as ready to kill as to favor in case of opposition—but pushing, pushing, pushing—always toward that little door over there, from which there was no escape—no escape—just on and on—until at last they would push him through it—never to return! *Never to return!*

Each time he thought of this he arose and walked the floor. Afterwards, usually, he resumed the puzzle of his own guilt. He tried to think of Roberta and the evil he had done her, to read the Bible—even—lying on his face on the iron cot—repeating over and over: "Lord, give me peace. Lord, give me light. Lord, give me strength to resist any evil thoughts that I should not have. I know I am not wholly white. Oh, no. I know I plotted evil. Yes, yes, I know that. I confess. But must I really die now? Is there no help? Will you not help me, Lord? Will you not manifest yourself, as my mother says you will—for me? Will you get the Governor to change my sentence before the final moment to life imprisonment? Will you get the Reverend McMillan to change his views and go to him, and my mother, too? I will drive out all sinful thoughts. I will be different. Oh, yes, I will, if you will only spare me. Do not let me die now—so soon. Do not. I will pray. Yes, I will. Give me the strength to understand and believe—and pray. Oh, do!"

It was like this in those short, horrible days between the return of his mother and the Reverend McMillan from their final visit to the Governor and in his last hour that Clyde thought and prayed—yet finally in a kind of psychic terror, evoked by his uncertainty as to the meaning of the hereafter, his certainty of death, and the faith and emotions of his mother, as well as those of the Reverend McMillan, who was about every day with his interpretations of divine mercy and his exhortations as to the necessity of complete faith and reliance upon it, he, himself coming at last to believe, not only must he have faith but that he had it—and peace—complete and secure. In that state, and at the request of the Reverend McMillan, and his mother, finally composing, with the personal aid and supervision of McMillan, who changed some of the sentences in his presence and with his consent, an address to the world, and more particularly to young men of his own years, which read:

In the shadow of the Valley of Death it is my desire to do everything that would remove any doubt as to my having found Jesus Christ, the personal Savior and unfailing friend. My one regret at this time is that I have not given Him the preëminence in my life while I had the opportunity to work for Him.

If I could only say some one thing that would draw young men to Him I would deem it the greatest privilege ever granted me. But all I can now say is, "I know in whom I have believed, and am persuaded that He is able to keep that which I have committed unto Him against that day" [a quotation that McMillan had familiarized him with].

If the young men of this country could only know the joy and pleasure of a Christian life, I know they would do all in their power to become earnest, active Christians, and would strive to live as Christ would have them live.

There is not one thing I have left undone which will bar me from facing my God, knowing that my sins are forgiven, for I have been free and frank in my talks with my spiritual adviser, and God knows where I stand.

My task is done, the victory won.

CLYDE GRIFFITHS.

Having written this—a statement so unlike all the previous rebellious moods that had characterized him that even now he was not a little impressed by the difference, handing it to McMillan, who, heartened by this triumph, exclaimed: "And the victory *is* won, Clyde. 'This day shalt thou be with me in Paradise.' You have His word. Your soul and your body belong to Him. Praised, everlastingly, be His name."

And then so wrought up was he by this triumph, taking both Clyde's hands in his and kissing them and then folding him in his arms: "My son, my son, in whom I am well pleased. In you God has truly manifested His truth. His power to save. I see it. I feel it. Your address to the world is really His own voice to the world." And then pocketing the note with the understanding that it was to be issued after Clyde's death—not before. And yet Clyde having written this, still dubious at moments. Was he truly saved? The time was so short? Could he rely on God with that absolute security which he had just announced now characterized him? Could he? Life was so strange. The future so obscure. Was there really a life after death—a God by whom he would be welcomed as the Reverend McMillan and his own mother insisted? Was there?

In the midst of this, two days before his death and in a final

burst of panic, Mrs. Griffiths wiring the Hon. David Waltham: "Can you say before your God that you have no doubt of Clyde's guilt? Please wire. If you cannot, then his blood will be upon your head. His mother." And Robert Fessler, the secretary to the Governor replying by wire: "Governor Waltham does not think himself justified in interfering with the decision of the Court of Appeals."

At last the final day—the final hour—Clyde's transfer to a cell in the old death house, where, after a shave and a bath, he was furnished with black trousers, a white shirt without a collar, to be opened at the neck afterwards, new felt slippers and gray socks. So accoutered, he was allowed once more to meet his mother and McMillan, who, from six o'clock in the evening preceding the morning of his death until four of the final morning, were permitted to remain near him to counsel with him as to the love and mercy of God. And then at four the warden appearing to say that it was time, he feared, that Mrs. Griffiths depart leaving Clyde in the care of Mr. McMillan. (The sad compulsion of the law, as he explained.) And then Clyde's final farewell to his mother, before which, and in between the silences and painful twistings of heart strings, he had managed to say:

"Mama, you must believe that I die resigned and content. It won't be hard. God has heard my prayers. He has given me strength and peace." But to himself adding: "Had he?"

And Mrs. Griffiths exclaiming: "My son! My son, I know, I know. I have faith too. I know that my Redeemer liveth and that He is yours. Though we die—yet shall we live!" She was looking heavenward, and seemed transfixed. Yet as suddenly turning to Clyde and gathering him in her arms and holding him long and firmly to her, whispering: "My son—my baby——" and her voice broke and trailed off into breathlessness —and her strength seemed to be going all to him, until she felt she must leave or fall—— And so she turned quickly and unsteadily to the warden, who was waiting for her to lead her to Auburn friends of McMillan's.

And then in the dark of this midwinter morning—the final moment—with the guards coming, first to slit his right trouser leg for the metal plate and then going to draw the curtains before the cells: "It is time, I fear. Courage, my son." It was the Reverend McMillan—now accompanied by the Reverend Gibson, who, seeing the prison guards approaching, was then addressing Clyde.

And Clyde now getting up from his cot, on which, beside the Reverend McMillan, he had been listening to the reading of John,

14, 15, 16: "Let not your heart be troubled. Ye believe in God —believe also in me." And then the final walk with the Reverend McMillan on his right hand and the Reverend Gibson on his left—the guards front and rear. But with, instead of the customary prayers, the Reverend McMillan announcing: "Humble yourselves under the mighty hand of God that He may exalt you in due time. Cast all your care upon Him for He careth for you. Be at peace. Wise and righteous are His ways, who hath called us into His eternal glory by Christ Jesus, after that we have suffered a little. I am the way, the truth and the life—no man cometh unto the Father but by me."

But various voices—as Clyde entered the first door to cross to the chair room, calling: "Good-by, Clyde." And Clyde, with enough earthly thought and strength to reply: "Good-by, all." But his voice sounding so strange and weak, even to himself, so far distant as though it emanated from another being walking alongside of him, and not from himself. And his feet were walking, but automatically, it seemed. And he was conscious of that familiar shuffle—shuffle—as they pushed him on and on toward that door. Now it was here; now it was being opened. There it was—at last—the chair he had so often seen in his dreams—that he so dreaded—to which he was now compelled to go. He was being pushed toward that—into that—on—on—through the door which was now open—to receive him—but which was as quickly closed again on all the earthly life he had ever known.

It was the Reverend McMillan who, gray and weary—a quarter of an hour later, walked desolately—and even a little uncertainly—as one who is physically very weak—through the cold doors of the prison. It was so faint—so weak—so gray as yet—this late winter day—and so like himself now. Dead! He, Clyde, had walked so nervously and yet somehow trustingly beside him but a few minutes before—and now he was dead. The law! Prisons such as this. Strong, evil men who scoffed betimes where Clyde had prayed. That confession! Had he decided truly—with the wisdom of God, as God gave him to see wisdom? Had he? Clyde's eyes! He, himself—the Reverend McMillan had all but fainted beside him as that cap was adjusted to his head—that current turned on—and he had had to be assisted, sick and trembling, from the room—he upon whom Clyde had relied. And he had asked God for strength,—was asking it.

He walked along the silent street—only to be compelled to pause and lean against a tree—leafless in the winter—so bare and bleak. Clyde's eyes! That look as he sank limply into

that terrible chair, his eyes fixed nervously and, as he thought, appealingly and dazedly upon him and the group surrounding him.

Had he done right? Had his decision before Governor Waltham been truly sound, fair or merciful? Should he have said to him—that perhaps—perhaps—there had been those other influences playing upon him? . . . Was he never to have mental peace again, perhaps?

"I know my Redeemer liveth and that He will keep him against that day."

And then he walked and walked hours before he could present himself to Clyde's mother, who, on her knees in the home of the Rev. and Mrs. Francis Gault, Salvationists of Auburn, had been, since four-thirty, praying for the soul of her son whom she still tried to visualize as in the arms of his Maker.

"I know in whom I have believed," was a part of her prayer.

SOUVENIR

Dusk, of a summer night.

And the tall walls of the commercial heart of the city of San Francisco—tall and gray in the evening shade.

And up a broad street from the south of Market—now comparatively hushed after the din of the day, a little band of five—a man of about sixty, short, stout, yet cadaverous as to the flesh of his face—and more especially about the pale, dim eyes—and with bushy white hair protruding from under a worn, round felt hat—a most unimportant and exhausted looking person, who carried a small, portable organ such as is customarily used by street preachers and singers. And by his side, a woman not more than five years his junior—taller, not so broad, but solid of frame and vigorous—with snow white hair and wearing an unrelieved costume of black—dress, bonnet, shoes. And her face broader and more characterful than her husband's, but more definitely seamed with lines of misery and suffering. At her side, again, carrying a Bible and several hymn books—a boy of not more than seven or eight—very round-eyed and alert, who, because of some sympathetic understanding between him and his elderly companion, seemed to desire to walk close to her—a brisk and smart stepping—although none-too-well dressed boy. With these three, again, but walking independently behind, a faded and unattractive woman of twenty-seven or eight and another woman of about fifty—apparently, because of their close resemblance—mother and daughter.

It was hot, with the sweet languor of a Pacific summer about it all. At Market, the great thoroughfare which they had reached—and because of threading throngs of automobiles and various lines of cars passing in opposite directions, they awaited the signal of the traffic officer.

"Russell, stay close now." It was the wife speaking. "Better take hold of my hand."

"It seems to me," commented the husband, very feeble and yet serene, "that the traffic here grows worse all the time."

The cars clanged their bells. The automobiles barked and snorted. But the little group seemed entirely unconscious of anything save a set purpose to make its way across the street.

"Street preachers," observed a passing bank clerk to his cashier girl friend.

"Sure—I see them up here nearly every Wednesday."

"Gee, it's pretty tough on the little kid, I should think. He's pretty small to be dragged around on the streets, don't you think, Ella?"

"Well, I'll say so. I'd hate to see a brother of mine in on any such game. What kind of a life is that for a kid anyhow?" commented Ella as they passed on.

Having crossed the street and reached the first intersection beyond, they paused and looked around as though they had reached their destination—the man putting down his organ which he proceeded to open—setting up, as he did so, a small but adequate music rack. At the same time his wife, taking from her grandson the several hymnals and the Bible he carried, gave the Bible as well as a hymnal to her husband, put one on the organ and gave one to each of the remaining group including one for herself. The husband looked somewhat vacantly about him—yet, nonethe-less with a seeming wide-eyed assurance, and began with:

"We will begin with 276 to-night. 'How firm a foundation.' All right, Miss Schoof."

At this the younger of the two women—very parched and spare—angular and homely—to whom life had denied quite all—seated herself upon the yellow camp chair and after arranging the stops and turning the leaves of the book, began playing the chosen hymn, to the tune of which they all joined in.

By this time various homeward bound individuals of diverse occupations and interests noticing this small group so advantageously disposed near the principal thoroughfare of the city, hesitated a moment,—either to eye them askance or to ascertain the character of their work. And as they sang, the nondescript and indifferent street audience gazed, held by the peculiarity of such

an unimportant group publicly raising its voice against the vast skepticism and apathy of life. That gray and flabby and ineffectual old man, in his worn and baggy blue suit. This robust and yet uncouth and weary and white-haired woman; this fresh and unsoiled and unspoiled and uncomprehending boy. What was he doing here? And again that neglected and thin spinster and her equally thin and distrait looking mother. Of the group, the wife stood out in the eyes of the passers-by as having the force and determination which, however blind or erroneous, makes for self-preservation, if not real success in life. She, more than any of the others, stood up with an ignorant, yet somehow respectable air of conviction. And as several of the many who chanced to pause, watched her, her hymn-book dropped to her side, her glance directed straight before her into space, each said on his way: "Well, here is one, who, whatever her defects, probably does what she believes as nearly as possible." A kind of hard, fighting faith in the wisdom and mercy of the definite overruling and watchful and merciful power which she proclaimed was written in her every feature and gesture.

The song was followed with a long prayer by the wife; then a sermon by the husband, testimonies by the others—all that God had done for them. Then the return march to the hall, the hymnals having been gathered, the organ folded and lifted by a strap over the husband's shoulder. And as they walked—it was the husband that commented: "A fine night. It seemed to me they were a little more attentive than usual."

"Oh, yes," returned the younger woman that had played the organ. "At least eleven took tracts. And one old gentleman asked me where the mission was and when we held services."

"Praise the Lord," commented the man.

And then at last the mission itself—"The Star of Hope. Bethel Independent Mission. Meetings every Wednesday and Saturday night, 8 to 10. Sundays at 11, 3, 8. Everybody welcome." And under this legend in each window—"God is Love." And below that again in smaller type: "How long since you wrote to Mother."

"Kin' I have a dime, grandma. I wana' go up to the corner and git some hot chestnuts." It was the boy asking.

"Yes, I guess so, Russell. But listen to me. You are to come right back."

"Yes, I will, grandma, sure. You know me."

He took the dime that his Grandmother had extracted from a deep pocket in her dress and ran with it to the chestnut vendor.

Her darling boy. The light and color of her declining years.

She must be kind to him, more liberal with him, not restrain him too much, as maybe, maybe, she had—— She looked affectionately and yet a little vacantly after him as he ran. "For *his* sake."

The small company, minus Russell, entered the yellow, unprepossessing door and disappeared.

THE END